



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

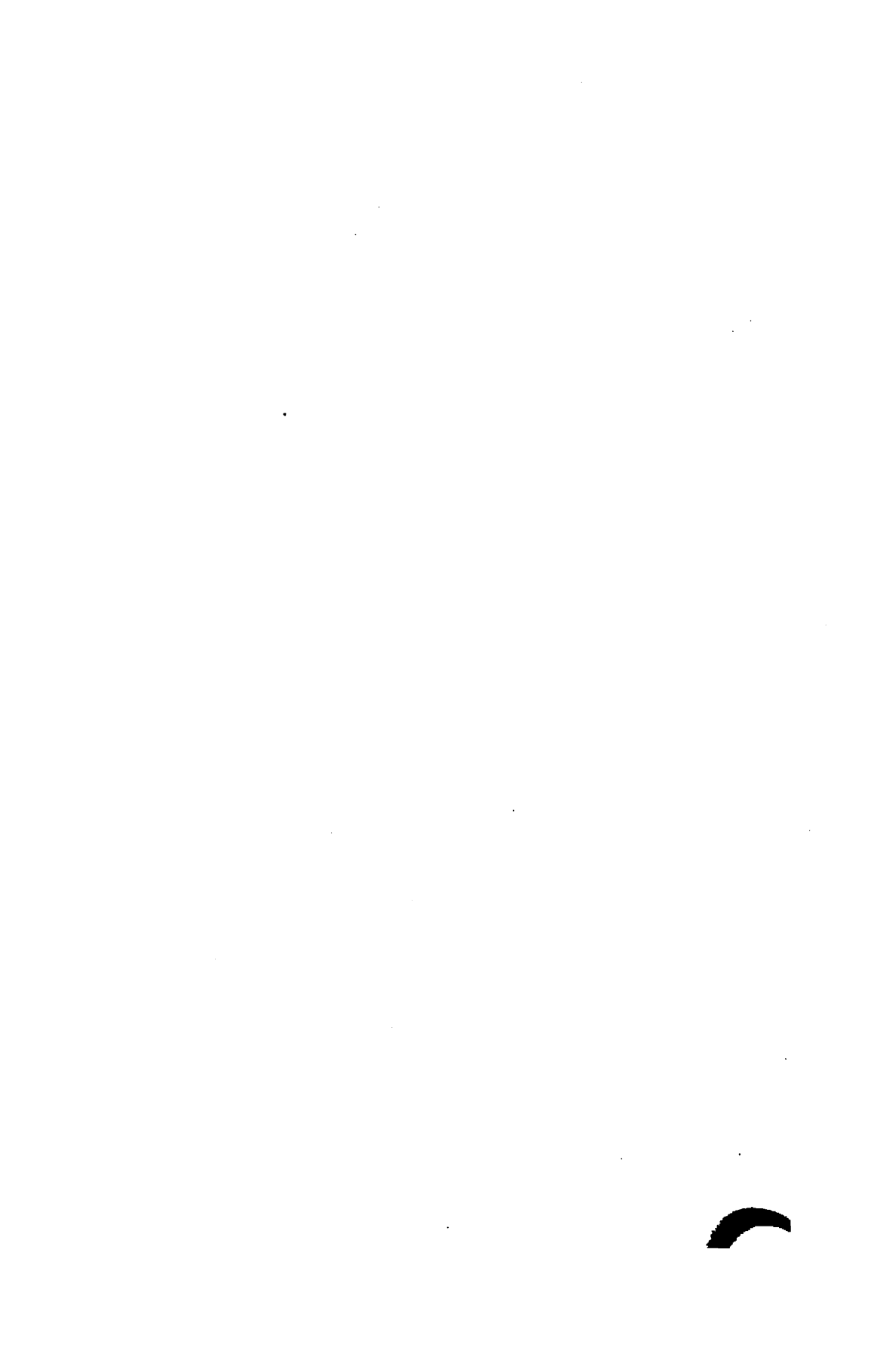
NYPL RESEARCH LIBRARIES



3 3433 07602445 8



714



122 · 27. J.C.

A CASE IN EQUITY.

1
DONATED BY THE
MERCANTILE LIBRARY ASSOCIATION
NEW YORK CITY

BY

FRANCIS LYNDE,

AUTHOR OF "A QUESTION OF COURAGE," ETC.


MERCANTILE LIBRARY.
NEW YORK.

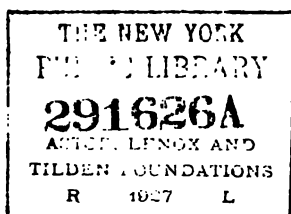
NEW YORK
PUB. CO.
LIBRARY

M 329913

PHILADELPHIA:
J. B. LIPPINCOTT COMPANY.

1895





Copyright, 1895, by J. B. LIPPINCOTT COMPANY.

NOV 21 1927

PRINTED BY J. B. LIPPINCOTT COMPANY, PHILADELPHIA, U.S.A.

MERCANTILE LIBRARY,
NEW YORK.

LIPPINCOTT'S MONTHLY MAGAZINE.

SEPTEMBER, 1895.

A CASE IN EQUITY. *S. H. P.*

I.

THE BEGINNING OF THINGS.

IN the days before the new era, Allacoochee was a dead-alive village with a single street climbing from the ferry landing on the river bank up to the weather-beaten court-house on the first slope of John's Mountain. If it differed from other inland county-seats in northern Alabama, it was on the side of drowsiness and shabby inconsequence. Its reason for existence was purely geographical: the Chiwassee Valley divides Chilmath County into halves, and the ferry was a point accessible to the farmers in the valley and to the dwellers on Jubal Mountain on the east and John's Mountain on the west. In the sprinkling of weather-worn buildings strewn upon the hill-side facing the river, but three were relatively notable. One was the court-house, wooden, two-storied, with a classic porch out of which tumbled a cataract of steps flowing down to the head of the street. Another was Catron's store, low and windowless in the rear and self-assertive and pretentious in front, with a high forehead of weather-boarding rising above the wooden awning over the sidewalk. The third was the Mountain House, just across the street from Catron's. It had been a planter's mansion in the days of masters and slaves, and in falling from its better estate the square brick house had brought down some reminders of ancient stateliness and solidity. There was a suggestion of comfort in its deep verandas, roomy hall-ways, and wide fireplaces, but the hint was lost in the general aspect of decay and neglect, and the Mountain House, together with everything else in the village, pointed toward a gradual and painless relapse into a condition of moribund disuse.

In the nature of things, the old Allacoochee saw few visitors. It was twenty miles down the valley to Prattville, the nearest railway town, and Abel French's buckboard was the only means of communi-

cation. French drove down twice a week for the mail, but he seldom brought back a passenger, and, save on "First Mondays" and other court days, the Mountain House was usually without guests. One pleasant evening in February, however, French broke the record. He brought two strangers up with him from Prattville, and there was a consequent stir of speculative curiosity among the loungers whose rallying-point was the shelter of Catron's awning. French, being promptly interrogated, confessed reluctantly that he had been unable to find out his passengers' business; and, having run a twenty-mile gauntlet with the inquisitive mail-carrier, the strangers had no trouble in evading the less skilful approaches of the townsfolk. For two weeks they spent their days driving up and down the valley, and their evenings sitting upon the veranda of the Mountain House, asking questions of every one and contriving to dodge all inquiries aimed at the object of their visit.

One evening when the sun had gone down behind John's Mountain the new-comers took their accustomed places on the veranda, drawing their chairs together and lighting their after-supper cigars in full view of the open-air court in session under Catron's awning. One of them was a heavy-set man, with a smooth-shaven face, hard but unreadable. He had the mannerism of quiet aggressiveness which belongs to physical superiority, but the bully in him was a force rather than an expression. Certain little idiosyncrasies, such as the habit of slipping his hands into his pockets and rocking his chair gently on two legs as he talked, suggested the lawyer cross-examining a witness, and the hint pointed truthfully to the gentleman's profession. Among his legal associates in New York, Lawyer Sharpless was respected as an able attorney and one whose loyalty to his clients was never hampered by inconvenient questions of conscience. His companion was a wiry little man whose clothes were shabby with the wear of activity. He talked volubly, punctuating his speech with a lean finger laid in the palm of the opposite hand, and throwing one leg over the arm of his chair as he warmed to his subject. His calling was not so obvious, but that was because he had followed so many occupations that none of them had left its impress upon him. A pettifogging lawyer, a land-agent for a railway company, a broker in real estate, and latterly a professional boomer, Mr. Jenkins Fench was a man of many parts, well qualified to bear his share in the enterprise in which he was at present associated with the New York lawyer.

Sharpless enjoyed the first inch of his cigar in silence before he nodded toward the group across the street. "The guessers are hard at it again over there; you don't suppose they've heard anything, do you?"

"Hardly," replied Fench: "there hasn't been anything they could get hold of, yet."

"No—not unless Cates has been talking."

"He hasn't anything to talk about. All he knows is that we want to buy his land, and that proves nothing."

"Perhaps not, to these people," rejoined the lawyer, tipping his chair to the cross-examination angle. "What do they say about the engineer's camp up on the Little Chiwassee?"

Fench chuckled. "They think it's an exploring party for a new railroad; even Cates don't suspect that the men have anything to do with us."

"It's been pretty carefully worked, so far. Protheroe's a sharp fellow, and he knows how to keep his mouth shut. He was the best man you could have found to handle the exploring party. Where did you run across him?"

"Out West, when I was booming a town for a Nebraska syndicate. He was the engineer for the railroad company, and I spotted him. Did I show you his last report?"

"No. What does he say?"

"He says we're all right. The mountain on the other side of the Little Chiwassee is full of iron, and there's plenty of coal in this one"—indicating the shadowy bulk of John's Mountain rising like a black cloud-bank above the roof of the court-house.

"Well, I guess that settles it. We'll have to have Cates's land before we make another move. Have you fixed up your map?"

"Did that to-day; the town-site will take in the strip between the river and the mountain, running down this way as far as we can get options. Cates's farm covers the best part of the tract up there at the mouth of the Little Chiwassee, and I suppose we'd better buy that outright. Does he still want two thousand for it?"

"He did yesterday, but I think I've scraped together a few details that'll help him change his mind. You know everything has a history, if you can only get at the facts."

"Of course. What did you find out?"

"I got the whole story of the property. It seems that the place used to belong to an old fellow by the name of Kilgrow, who lived on the mountain and made moonshine whiskey or apple-brandy, or something in that line, that got him into trouble with the revenue people. Cates, who was a 'fence' for the moonshiners, held the land as a tenant under Kilgrow for some years, and never claimed it until after the revenue officers had run Kilgrow out of the country. That was six years ago, and after the old mountaineer was well out of the way, Cates gave it out that the land was his,—that he bought it some time before the raid. Nobody seems to have questioned his title, though there is no record of any transfer from Kilgrow."

"Then Kilgrow is probably the rightful owner now?"

"He would be if he were alive; but he died in Texas three years ago, and, so far as I can find out, there are no heirs in sight."

"Oh; then it don't make so much difference, after all," said Fench.

"No, except that it gives us a good leverage on Cates. It leaves a gap in the title; but I guess we can doctor that up."

"Yes, easy enough. We'll go and see Cates in the morning, if you're ready."

Lawyer Sharpless had not overestimated the value of his discoveries. When the leverage was applied to James Cates on the following day, the farmer promptly produced a witness who claimed to have been present when the purchase was made, and who confirmed the rumor of Kilgrow's death by asserting that he had helped bury the old moun-

taineer three years before on the Texan frontier. Sharpless ignored the witness, and pointed obstinately to the faulty record, insisting that Cates should produce the original deed. The farmer declared at first that the document was among his papers, and then that it had been lost. Pushed to the wall, he wavered, cut his price in half, and disappeared from the valley as soon as the transfer was made to the new owners.

If Sharpless doubted the asseverations of Cates and his opportune witness, he made no sign; nor was he disturbed by the significant fact that the witness vanished with Cates. The attorney had assured himself beforehand upon two points,—the certitude of Kilgrow's title to the land, and the absence of heirs who might become troublesome future claimants. With these two premises in reserve, he believed that the title acquired from Cates could be made as good as valid.

After the purchase of the Cates farm, Sharpless and Fench spread a report that they were about to try an experiment in tobacco-raising on a large scale; and with this ostensible object in view they proceeded to secure options upon other tracts in the valley. Since they offered good prices for poor land, there was little haggling; and in a few days the required acreage was under control. This was the first move in the complicated game of evolution, and when it was made the promoters celebrated their success with a fresh box of cigars and a bottle of rather sickish native wine in their room at the Mountain House.

"We're in great luck, so far," said Sharpless, examining the map spread out on the table between them. "You'd better write them to go ahead in New York with their articles of incorporation. I wonder if Birkmore is ready to begin on the railroad extension?"

"He ought to be; he was to send Raymond up to let us know when the strings were ready to pull."

The answer to the question was coming up the stairs while Fench was speaking, and presently entered the room in the keeping of a man whose clothes gave evidence of hard riding over muddy roads.

"Hello, Raymond," said Fench; "we were just talking about you. How's everything down below?"

"All right," replied the new-comer. "The material is all up, and Birkmore's waiting for the word to begin."

"That's the talk!" exclaimed the manager. "Can you find your way back to Prattville to-night?"

"Why, yes, I suppose so—if I have to. I'm dog-tired, though."

"Well, time's precious; I guess you'd better get a fresh horse and go. Tell Birkmore not to lose a minute. Is he fixed to work a night gang by electric light?"

"Yes."

"Good enough! Tell him he can't get a locomotive into Allacoochee any too quick to please us, now. Have a drink, and put some cigars in your pocket to smoke on the way."

When the messenger left the room, Sharpless leaned back in his chair and put his hands in his pockets. "The Jethro deal cleans it all up excepting the title to the Cates tract," he said; "I suppose we might as well fix that now as any time. Have you got a blank deed?"

Fench rummaged in his pockets for the paper. "Where's Cates's deed to us?" he asked.

"Here it is," Sharpless said, handing it across the table. "Better change the wording a little, so it won't look suspicious."

"You let me alone for that."

Fench wrote rapidly for a few moments, pausing when he came to the date. "Make it about May 20th, 1885?"

The lawyer made a rapid calculation in dates. "Yes, that'll do. As nearly as I can locate it, the raid on the moonshiners was made in June or July of that year; it'll be safe enough to call it the 20th of May."

Fench went on writing, and presently handed the two deeds to Sharpless. "How will that do?"

"That's about it," replied the attorney. "I wonder if the old moonshiner would recognize his signature?"

"I'd risk it. What are you going to do about the notary's acknowledgment?"

"I'll fix that. I've been making myself solid with an old fellow across the street who calls himself a lawyer. He doesn't know enough about the law to hurt him, but he is a notary public. He'll do it,—for a consideration,—and he won't be too particular about the exact date."

"Is it safe to trust him?"

"I don't mean to make the experiment; I shall simply tell him that Cates has had this deed kicking about the house all these years without having it recorded."

"Oh, that's the scheme, is it?" said Fench, screwing up one eye until all the craftiness in both seemed to peer out of the other. "Give me that deed a minute."

He went to the fireplace, and, taking a pinch of soot, rubbed it into his hands until they were black and grimy. Then he folded and crumpled the deed until it had the requisite appearance of age and ill usage.

"You're an artist, Fench!" was the lawyer's admiring comment when the paper was handed back for inspection. "Nobody will ever suspect now that it isn't as old as it claims to be. Wonder if I could find old Squire Pragmore to-night?"

"Perhaps," said the manager, washing the grime from his hands. "While you're hunting him I'll write to New York."

Sharpless came back in a few minutes and threw the forged deed on the table.

"That's settled," he said. "When it's recorded we'll destroy it."

"Did Pragmore object?" inquired Fench, looking up from his letter.

"He balked a little at first, but I've given him a lot of business in the last two weeks, and a twenty-dollar fee was too much for him."

A week later Lawyer Sharpless called at Judge Wilkinson's office in the court-house and asked for the Kilgrow-Cates deed. He took the paper that was given him and put it into his pocket without examining it further than to glance at the judge of probate's certificate

of record. Being by this time burdened with many matters of greater importance, he did not think of it again until evening, when he took it out with some other papers in the office of the Mountain House. A cold rain had been falling during the day, and a wood fire was blazing in the fireplace. Sharpless singled the deed out of the bunch of papers and thrust it between the logs, ignoring the summons to supper until he had seen the crisped cinders whirled up the chimney in a winding-sheet of flame. Then he went to the dining-room and took his seat opposite Fench at the table reserved for their use.

One morning not many weeks later, Allacoochee the inert became a thing of the past. A many-handed demon of activity had suddenly invaded the peaceful valley, transforming it into a dusty battle-field whereon labor pitted itself against chaos. Snorting locomotives rumbled back and forth with trains of building-material. Shouting teamsters guided the ploughs whose furrows marked the lines of new streets, or loosened the soil in advance of battalions of laborers establishing the grade. Armies of workmen wrought miracles of handicraft, turning unsightly heaps of brick and stone and lumber into stately buildings which seemed to spring up out of the red soil as if by magic. And into the midst of the clamorous turmoil the daily passenger-trains soon began to pour their crowds of adventurers and investors to submerge the single street of the old town, and to elbow and jostle the bewildered natives as they fought for accommodations at the Mountain House or struggled for standing-room around the temporary rostrum from which Mr. Fench dispensed bargains in real estate to the highest bidder.

And so began the new era in Allacoochee.

II.

ONE WAY TO CURE ENNUI.

"Just say that over again, will you, doctor? I don't think I quite took in the length and breadth of it."

Thorndyke was in his shirt-sleeves, but he reached mechanically for his coat and vest when the physician replaced the stethoscope among its kinsmen in the glass case.

"I said that your condition is very critical,"—the concern in Dr. Perevin's voice was too real to be professional: "that if we don't look out you'll slip away from us as your uncle Granville did."

Granville Thorndyke had died of quick consumption when his nephew was a boy of twelve, and Philip had a very vivid recollection of the strong man's steeple-chase down the road to emaciation and death. It seemed incredible that such a thing could happen to him. He sat down and tried to realize it. Realizing is usually a methodical process, but when a man believes he has just heard his death-sentence pronounced it is apt to be different. Thorndyke's mind skipped the intermediate steps and arrived at the end of things with a shock that jarred him out of his usual habit of indifference.

"For God's sake, doctor! Do you know—but of course you don't;

no man can really put himself in another's place when it comes to the pinch."

"Not wholly, perhaps; and yet I can tell you it isn't pleasant to be a prophet of evil. Hadn't you any hint of your danger?"

"Not the least in the world. Why, I'm here now only because the mother and Helen insisted upon my coming. And I can't take it in yet; I'm not sick—I've never had a twinge or a symptom worth mentioning."

"That may be: the trouble frequently begins so stealthily as to give but little warning. Your uncle reached your age without suspecting that he had the disease, and then, as you remember, he died within the year."

"Yes, I know all about it," assented the young man, moodily, "and now I know why the mother was so anxious."

He got up and walked nervously back and forth in front of the physician, with his hands behind him and his head down. "If anybody had told me I was such a coward I shouldn't have believed it, doctor. This thing has come so suddenly that I'm all at sea. What is there to be done? or is there anything to be done?"

The physician shook his head. "Taking it for granted that you want the plain fact, I'm afraid the chances are against you. Sometimes a complete change of scene, climate, and habit will work the miracle that would seem to be necessary in a case like yours, but it is only fair to warn you that such an experiment might only shorten your life."

"A sort of forlorn hope," rejoined Thorndyke. "Nevertheless, I think I'll try it, not so much on my own account as because— Doctor, where should I go, and how long a time can I count on?"

"Answering your last question first,—I don't know; no one can say positively; but unless you get help almost immediately the disease is likely to develop very rapidly. I should say that six months would tell the story, one way or the other; though it might take longer. And as to the place, there isn't much choice, so long as you get an even temperature and pleasant surroundings. I have considerable faith in the climate of the southern end of the Blue Ridge; but you must live out of doors if you go there."

"Six months; something less than two hundred days. That ought to give a man time enough to make his peace: many a poor devil gets less than that many minutes or seconds. And yet there are some things that can't well be settled in a short half-year."

"You are thinking of your engagement to Helen?"

"Yes; that, and the property, and my mother's grief and worry, and a hundred other things that were not of the least consequence an hour ago." He took his hat and paused in the door-way. "Doctor, I wish you wouldn't say anything about this,—at least, not just yet. Don't tell the mother or Helen, I mean."

"Certainly not."

"Thank you. I'll see you again before I go; that is, if it seem worth while to make the experiment."

An hour earlier in the day, Philip Thorndyke had sauntered into the vestibule of the great office building with the thought that a visit

to Dr. Perevin would answer the double purpose of relieving his mother's anxiety, and of enabling him to wear out a half-hour of the afternoon in a chat with the old family physician; and he went the more willingly since the half-hours had of late taken to dragging rather discouragingly, especially in the afternoons. That they dragged was due to a number of causes, the chief of which was that Thorndyke was an unsuccessful idler.

His father had been a hard-working attorney, gathering and leaving an estate which would have been a fortune elsewhere than in New York, and which was a competence even in that city of millionaires. The will gave Philip half, and the irksomeness of its possession had not made itself felt until after his post-graduate course in the law had left him a squire of dames, and lacking the spur of necessity which might have made him successful in his profession. Up to the moment when he stood waiting for the next ascending elevator which should lift him to the altitude of Dr. Perevin's chambers, his life had been as uneventful as his mother's solicitude could make it. There had been no invigorating heights to scale and no nerve-trying depths to explore. In his college course, and in the choice of a profession, he had followed in the footsteps of his father, taking the one and choosing the other for no better reason than that both were selected for him by his parents. Summed up, the young man who waited for the elevator was a very fair example of the neutralizing effect of prearrangement in domestic affairs; a logical product of a cut-and-dried system of home training which makes no allowance for individual needs in the subject.

And if Thorndyke had been given no voice in the matter of his bringing up, he had had quite as little to say about his engagement to Helen Morrisson. She was the only daughter of his father's law partner, and the alliance of the two families in the persons of their respective heirs was a treaty which had been discussed, ratified, engrossed, docketed, and filed among the partnership archives long before the persons most nearly concerned were old enough to be consulted. Contrary to all precedent, the young people made no difficulties. On the part of the young girl, the loyal friendship of childhood had grown with her stature into a very real and earnest love for the man who was her betrothed. And if Philip's acceptance of the part assigned to him were not sufficiently demonstrative to please his mother, it was due quite as much to the fact that the two had grown up together as to any undefined inclination on the part of the young man to rebel against the conditions which had forestalled the growth of his individuality. In a tranquil and dispassionate way Philip was devoted to the young woman of his mother's choice; but his love for Helen was rather the outgrowth of an obedient sense of the fitness of things, urged on by a just appreciation of Helen's beauty and goodness, than the spontaneous and compelling passion which is no more amenable to reason than it is subordinate to a sense of duty.

From passive indifference to active discontent is but a step in a life from which the objects of legitimate ambition have been removed. The dead level of an existence in which the trivialities of the daily social round are the only mile-stones stretches away before the weary

pilgrim into a limitless and arid region whose sandy wastes forbid the growth of any sturdy tree of effort. Thorndyke had been journeying through some such desert of boredom on the day of his visit to Dr. Perevin, and one of the vagrant thoughts which followed him to the doctor's door turned upon the well-worn question as to whether, after all, life were really worth the effort. The answer was deferred, but the suggestion was distinctly negative. An hour later, when he stood before the latticed door of the same elevator waiting to be shot down to the level of the street, the point of view had veered so suddenly as to leave him gasping like an exhausted swimmer under whose feet there had lately been the decks of the stanchest of vessels.

For the first time in his experience with elevators, the swift rush down the shaft made him dizzy, and he had to sit down at the cigar-stand in the vestibule a minute before going out into the street. A line of periodicals was pinned to a string in front of the cigar-vender's counter, and Philip saw the word "Allacoochee" in staring capitals on the title-page of one of them. He bought a copy of the paper and read the advertisement.

ALLACOOCHEE.

THE FUTURE COMMERCIAL AND INDUSTRIAL CAPITAL OF
THE NEW SOUTH! THE MOST EQUABLE CLIMATE IN ALABAMA.
FINE NATURAL MEDICINAL SPRINGS, CHARMING AND PICTUR-
ESQUE SCENERY. INEXHAUSTIBLE BEDS OF COAL AND IRON;
A LIMITLESS FIELD FOR IMPROVEMENT.

A carefully prepared prospectus of Allacoochee may be found at the banking house of Messrs. Tompkins & Ryder, where the subscription-books of the Allacoochee Land, Manufacturing, and Improvement Company will be opened for the sale of a limited number of shares on the 5th inst.

An acquaintance looked over his shoulder as he read. "Hello, Thorndyke," he said; "going South to make a fortune?"

Philip folded the paper and put it into his pocket. "I hadn't thought much about making the fortune, but perhaps I shall go South for awhile. Do you know anything about this place?"

"Nothing more than the scare 'ad.' tells; but I fancy it's another bait for gudgeons. I shouldn't put any money into it, if I were you."

"I had no intention of doing so."

They had reached the street, and Philip shook hands with his friend before turning to cross the square to the Elevated station.

"Good-by, old man: I may be off before I see you again," said Philip; and the faintness came back with the thought that he should probably never see the man again,—that this was the first of a series of leave-takings which should be for all time.

III.

LEAVE-TAKINGS.

Philip was reading the evening paper when Mrs. Thorndyke came into the library before dinner, and he made a commendable effort to appear natural when he greeted her. The hope that she would give him time to lead up gradually to the subject of his interview with Dr. Perevin had scarcely taken shape when her first question flung him into the midst of it.

"Did you go to see the doctor to-day, Phil?" she asked, moving the reading-lamp that its light might serve him better.

"What doctor?—oh, you mean Perevin. Yes, I went down and told him I was a very sick man—in your opinion."

"What does he say is the matter with you?"

"With me?—why, he said you coddled me too much, or something of that sort; that I'd better break away and go live in the woods."

"But seriously, Philip; you know how we are worried about you. Doesn't he think you're in danger?"

"Danger of what?" Philip threw down his paper and stood up before her. "Do I look like a sick man? Can you stretch imagination to the point of fancying me going into a decline?"

His manner was reassuring enough, but the subtle intuition of maternal love is not to be hoodwinked by appearances. Mrs. Thorndyke was not satisfied, and, seeing there was no possibility of keeping her away from the dreaded subject, Philip skilfully introduced his plan of migration.

"Why, of course," she said; "I don't see why we hadn't thought of that before. We can find some quiet place down South where we can be comfortable, and we can take Helen with us."

Philip's heart smote him when he set himself to demolish this cheerful plan. Having had time to think about it, he had demonstrated to his own satisfaction the uselessness of trying to dodge his fate. He had succeeded in twisting Dr. Perevin's warning into a formal sentence of death; and he had made up his mind to take the physician's advice, not for recuperative purposes, but for reasons which were purely sentimental. He would go away into the wilderness where he could find a quiet place to die, and would so save his mother and Helen the day-to-day sorrow of the intermediary period. It was all very foolish and boyish, doubtless; but Philip was only an overgrown boy at best, so far as individuality was concerned, and Mrs. Thorndyke had herself to thank for it. And so he proceeded to put his theory into practice.

"That would all be very pleasant; but don't you see that I must go alone if I mean to live out of doors and rough it? I'm not sure but it would be better for me to go into the woods with the turpentine-gatherers, or in a logging-camp. I don't know that I especially yearn for such an experience, but I'd do that or anything else to please you and Helen."

"Don't be impatient, Philip dear; I know we're a pair of foolish women, but there is always the look of your uncle Granville in your

eyes, and——” Mrs. Thorndyke sat down and began to cry softly into her handkerchief.

Philip was beside her in a moment. “There, there, little mother, you’ve let this thing worry you till you’re all unstrung. You mustn’t, you know; Perevin says that I’m—that all I need is a change of climate. You won’t know me when I get back.”

When one is habitually truthful the lips lie clumsily and the face usually refuses to corroborate the falsehood; it was therefore fortunate for Philip’s plan that his mother’s emotion prevented her from seeing the untruth. And see now how great a matter so small a thing may turn aside. If Mrs. Thorndyke had looked up she would have believed Philip’s face against his words, and there would have been no solitary migration and no case in equity,—no moral upheaval and no strangling of a carefully educated conscience. And, besides, Philip might have died comfortably at home, with all the accessories of civilization to make it easier.

Preparations for the journey, and the arranging of matters connected with the estate, kept Philip so busy for the next few days that there was no time to indulge in painful rehearsals of the approaching leave-takings. As a confidant in the business affair was necessary, he told his solicitor, not the exact truth, but what he had made himself believe to be the truth, and was thus enabled to keep his mother in ignorance of his careful provision for her future. When it came to making the will, Colonel Vancott, who was a family friend of the Thorndykes, and of the Morrissons as well, put in a word.

“You say you want to leave it all to your mother: does that include the sum set apart for a marriage settlement on Helen?”

“Yes.” Philip ran his hand through his hair and then tugged at his moustache. “You see, it’s this way,” he explained: “I know that’s what Helen would wish if she could be consulted. She has always objected to the settlement, and she says she will insist upon turning it over to my mother when it comes into her hands. I thought it would simplify matters to include it with the rest.”

“I knew about that,” replied the lawyer, taking up his pen again; “and so I thought perhaps you might want to leave it as an anchor to windward in case your mother’s property ever became involved. I don’t like your obstinacy in the matter of investments; I mean the way you both keep all your money tied up in Hallam’s bank-stock.”

“I know that’s always been an eyesore to you, colonel, and I could never understand just why it should be. Hallam is as safe as the Subtreasury, and he always pays good dividends.”

“That may all be,” replied Vancott, testily; “I don’t know anything to the contrary; but it cuts no figure with the principle of the thing. It’s a plain case of putting all your eggs in one basket; and that’s never a good thing to do.”

Philip wrestled a moment with a new sense of responsibility. “I guess you’re right; though I never thought much about it before. It’s hardly worth while for me to make transfers now, but I’d be glad if you could get mother to do it.” And the making of the will went on without further interruption.

During these days of preparation Philip found it convenient to avoid being much alone with Helen. Since telling her of his intention, he had been beset by a fear that she suspected a more serious reason for the journey than the one he had given her. The fear was not wholly unfounded, for, on the following day, Miss Morrisson had gone straight to Dr. Perevin. Fortunately for that gentleman's reputation as a keeper of family secrets, he happened to be engaged when she called, and so had time to reinforce his caution. Helen waited, quaking, in the reception-room, losing the vantage-ground of attack in the same proportion that the physician strengthened his defences by delay. When she was finally admitted, she threw away her one chance of success by abandoning strategy for assault.

"Doctor, I want you to tell me all about Philip's trouble," she began. "Why are you sending him away? and why won't he talk about what you told him?"

The doctor was suavity and considerate sympathy personified. "Why, my dear young lady, one would think that Philip had been ordered to Siberia! Is it so remarkable that I should have suggested a change of scene and climate?"

"N-no, I suppose not; but, doctor, please tell me why you advised him to go alone."

It was a very sweet face, lighted by appealing eyes of the clearest gray, and made altogether lovely and irresistible by the touch of pathetic anxiety, that was turned toward the physician. Moreover, Dr. Perevin had said nothing about the advantages of solitary exile, but he stood by his patient loyally.

"To have advised him otherwise would have been like preaching him a sermon with the text left out. What he needs is out-of-door life, and that doesn't mean a change to the dissipations of a summer- or winter-resort." The doctor paused, and then added, diplomatically, "And I count on your help to make this possible: you must dissuade Mrs. Thorndyke if she has any idea of going with Philip."

Helen's faltering acceptance of the condition imposed by this appeal ended the interview, and she left Dr. Perevin's office with her trouble increased in inverse proportion to the success of her errand. It wanted but three days of the time that Philip had set for his departure, and during this interval the distress of the man, who thought his knowledge was definite, was not more real than that of the woman who knew nothing and feared everything.

From the time when his mind had clarified sufficiently to allow him to grapple with the conditions of the new point of view, Philip had begun to dread most the parting from Helen. That was because the new point of view had shown him, among other things, the nether side of his love for her, and he found it good to look upon, and tender and self-sacrificing, as such a love for such a young woman should be. It was a merciless aggravation of his misery, he told himself, that this knowledge came so late; that he had to look back at Helen from the brink of the grave, as it were, before he could realize what her love was worth and what it would cost to give it up. He cried out against the peculiar hardness of his lot in much bitterness of spirit, saying

that his case had no parallel. Wherein he lost sight of the truth, old as the complaint of the man of Uz, that blessings are as but the water for foot-washing until the fountains are dried up and the well-springs are no more.

Taking all things into consideration, Philip developed more strength of character than he had reason to expect when he went to pay the final visit to the Morrissons. He meant to play the part of the good-natured patient who obeys his physician's orders without prejudice to a firm belief in their unimportance, and this was not particularly difficult in the presence of two elderly people who had known him from infancy. If appearances went for anything, there was certainly little evidence of ill health in the well-knit athletic-looking young man who leaned against the mantel, laughing and talking easily about his approaching departure. He caught a glimpse of himself in a mirror as he talked, and hope almost struggled into life again. It was but a passing moment of exaltation, however, for he knew well enough that it was distance, and the shaded light of the chandelier, that effaced the fine lines of emaciation and turned the hectic flush into a ruddy glow of health. This was what he told himself in the unwritten language of under-thought while outwardly he was listening to Mr. Morrisson's questions.

"Have you made up your mind where you will go?"

"Oh, yes; I did that the first thing: Allacoochee, Alabama. I should go there if only for the sweet euphony of the name, but there are other and weightier reasons. Just hear them." And he took a newspaper clipping from his pocket and read the advertisement.

"Yes, I've heard of the place," rejoined the elder man; "Brown's been putting a lot of money into it, and he wants me to join him. Let me know what you think of it when you get there."

"With pleasure. I thought it would do as well as any for a point of departure: you know I'm going to live in the woods."

Placid Mrs. Morrisson smiled incredulously. "I've been trying to imagine it ever since Helen told us, but I can't," she said. "Why, you've never been out of reach of your bath and your morning paper since you were old enough to know the good of either."

Philip winced a little under the criticism. A month earlier, while the armor of indifference was bullet-proof, he would have smiled and said there was time enough to prove all things; but now there was a sting in the pleasantry, barbed by the thought that he should never be able to refute this or any other just reflection upon his shortcomings.

"I deserve that," he said. "I've never been anything but a drone."

"Eh? what's that?" asked Mr. Morrisson, looking up from his book. "That's what I've been telling you ever since you left school. You've got your work to do in the world, my boy, just the same as the rest of us. I'm glad you're finding it out before it's too late."

"It is too late," said Philip, quietly, the answer slipping out before discretion could shut the door.

"Nonsense! Why, you've got the better part of your life before you yet."

"Perhaps; but that isn't what I meant. If one does the best he can from the time when he begins to learn the meaning of well-doing, he is only filling the measure of his reason for being; and, granting this, there is no such thing as atonement for years of idleness."

The old lawyer put down his book to applaud the sentiment. "Better yet! at this rate you'll be an enthusiast before you're thirty. I've often wondered if the good old hard-working stock of the Thorn-dykes would run to seed in one generation."

"That's one disadvantage in having had a brilliant father," Philip replied, laughing. "People expect his son to keep up the family prestige, and they lose sight of the fact that one of the commonest results of the father's ability is the accumulation of a fund for the propagation of idleness in his children."

Meanwhile Helen had been making mute little tentative movements toward the open door of the adjoining drawing-room, and, as Philip continued to ignore them, she left the group and went to the piano in the other room. Philip knew then that the time had come, and joined her before her fingers had found their way half through the little melody she was playing. She stopped when he came in, and turned to him with a question.

"Is it time yet?"

"Pretty nearly; my train leaves at ten."

"You haven't told me how long you will be away."

"I don't know; I can't tell." He went to the window and stood with his back to her, so that she might not see the hopelessness in his eyes.

She followed him and linked her arm in his. "Philip, you're not telling me the worst of it; won't you trust me?"

She got no answer in words, but the sense of touch told her something of his struggle for self-restraint.

"Why won't you let me go with you?" she pleaded. "Isn't it my right to share your trouble and to help you bear it?"

He stood irresolute for a minute, vainly trying to say something which would be at once affectionate and indefinite: finding it altogether beyond him, he turned abruptly, kissed her, and was gone.

IV.

A MODERN MIRACLE.

Mr. Jenkins Fench sat in his private office in the new building of the Allacoochee Land, Manufacturing, and Improvement Company, giving audience to prospective investors as they were admitted one at a time by the clerk in the outer room. If, in the beginning, the manager had played a somewhat leisurely second to Lawyer Sharpless's lead, all traces of inertness vanished with the breaking of ground for the new city, and Mr. Fench became for the time an incarnation of enthusiasm and restless activity. Allacoochee and its advantages circumscribed the rim of his horizon; the rest of the world was a mere tail

to the comet of which this latest luminary in the urban galaxy was the head.

And evidence was not wanting that no inconsiderable portion of the world of investment stood ready to take Allacoochee at Mr. Fench's appraisal. From morning till night the outer office was crowded with buyers; and the rocket-like flight of prices seemed only to add to the eager anxiety of those who waited their turns to get speech with the busy manager. It is true that Mr. Fench left nothing undone to fan the flame of enthusiasm, and it is equally certain that some of his methods were rather more enterprising than honorable; but no one stopped to analyze the reaping process while the golden harvest was so plentiful, and Mr. Fench's little ruses were accepted and credited by scores of people who in the ordinary walks of life were neither knaves nor fools.

"Lot 22, Block 16"—an elderly gentleman whose portly figure and benignant smile were best known to frequenters of the Chicago Board of Trade had just been admitted to the presence—"Yes, sir; that's one of the finest locations in the city. Sold the lot next to it yesterday to the Morion Cold Storage Company, and they've got forty men working on the foundations for their building now. No matter what you pay for it to-day, the value will double within a week; it's bound to. Why—the present price, did you ask? Fifteen thousand dollars; and if you stay here till the day after to-morrow you'll say it's the best bargain you ever had."

"But, my dear sir—fifteen thousand dollars! Why, that is a Chicago price—and for a devilish good locality at that!"

Mr. Fench suddenly changed his tactics. "I know, Mr. Brentwood, to a man who hasn't had time to take in the details of the situation it must seem as if we'd all gone stark crazy down here. If I could afford to do it, I'd hold that piece of property till you could look around and see for yourself; I know how the thing looks—" there was an impatient ring at the telephone—"Excuse me just a minute. Hello! well, hello! Who is that? What? Stanley? All right; what is it? About what lot? Oh, you mean the one next to the Morion Company? Why—there's a gentleman here now figuring on that. What's that? Stand a little closer to the 'phone—now then, what was it you said? The price? Fifteen thousand. You say you will give fifteen five—I can't take it till the gentleman refuses. I'll call you up a little later. Good-by."

Fench rung off and resumed his seat at the desk. "You see how it goes, Mr. Brentwood; that fellow will be down here inside of twenty minutes to raise his own bid. How would you like to look at some of this residence property on Arlington Terrace?"

Mr. Brentwood thought he should prefer something in the business district; in fact, that Lot 22, Block 16, was precisely what he wanted. He had no means of knowing that the telephone was a dummy, rung at the critical point in the interview by the pressure of Mr. Fench's foot upon a convenient button in the floor beneath the desk. Nor did it occur to him at the time that the one-sided conversation at the instrument was peculiarly opportune. For the moment, the Chicago broker,

like a goodly number of those who were permitted to breathe the speculative atmosphere of Mr. Fench's private office, took leave of the calm good sense which made him respected among his business associates in Chicago. He swallowed the bait innocently, believed all he saw and heard, and refused to be diverted until he had prevailed upon the reluctant Mr. Fench to accept a round sum to bind the bargain on the coveted piece of property.

As Brentwood left the office by one door, Sharpless entered by another and sat down in the chair lately occupied by the last visitor.

"Shut off that hungry crowd for a few minutes, Fench, and I'll go over these papers with you," he said.

Fench touched the electric button on his desk, and when the clerk answered the bell he gave the order to admit no one till further notice. "Now, then, I'm ready for you."

"Well, about this Woodenware Company; they're all right. They'll bring their own operatives, and they agree to build tenements on the block next to their factory, selling them to their men on the instalment plan. The saw-mill people you know about. They'll take Town Company's stock and pay for it half cash and half lumber. This fire-brick fellow wants to know if we own the furnace and rolling-mill plants; and if we'll agree to give him a monopoly on the brick needed by us. I told him we would, if he would take Block 3 at our figures, paying half cash; brick to be taken on same basis and to be furnished when ordered."

"That's a good careful provision," Fench broke in, "especially as the mortar isn't dry on the first set of linings yet. Go on."

"Then here's Edgeley, the cutlery man. I've been having the devil's own time with him. He sent a man down here to look over the situation, and I've had a dozen interviews with him. First he made me go to the court-house and overhaul the records. Then he wanted to see the deeds. I tried to switch him off of the Cates tract to a location farther down the river, but he wouldn't have that. I wouldn't fool with him a minute if I wasn't sure that Edgeley has plenty of money."

"Wanted to see the deeds, did he?" said Fench, thoughtfully. "D' you know, Sharpless, I've been sorry a dozen times you burned that deed. It would have been as good as any to show; and I've wanted it twenty times if I have once."

"But you've got Cates's deed to us."

"I thought I had, but I haven't."

"What have you done with it?"

"I don't think I've ever had it. The last I remember of it was that night when you put it in your pocket and said you'd have it recorded with the other."

"Look in your safe," said Sharpless, "and I'll go through my papers."

He was back in ten minutes without the missing document. "Did you find it?" he asked.

"No."

"Then it's gone."

"Well, it don't matter much, except, as I say, they'd be handy to show. They're both recorded."

"Yes, they're recorded all right, but"—Sharpless paused and knitted his brows at the small bisque figure holding the matches on Fench's desk.

"But what?"

"Have you heard the talk about Kilgrow?"

"Who, the dead man? No; what about him?"

"They say he isn't dead—that he's been seen on the mountain; comes and perches himself up on that crag they call Eagle Cliff to watch the improvements we're making on his farm."

"The devil you say!" Mr. Fench came out of his chair with a jerk and began to walk the floor nervously. The cooler-headed lawyer smiled and waited. Fench tramped himself into a perspiration, and then sat down again with a groan.

"We're done up, Sharpless,—done up slick and clean. That man can send us both over the road whenever he gets good and ready."

The attorney seemed to be enjoying the discomfiture of the manager. The incident threw a side-light on Fench's character that was instructive; it exposed the shoddy warp that was usually hidden under the woof of impudence. Sharpless knew then that if there were any fighting to be done he would have to do it himself, and there was a contemptuous emphasis in his reply:

"That's as you like. He'll fight for what he gets, I can tell you that; only I wish we had that deed."

Fench swore a quavering oath which was, nevertheless, broad enough to cover the whole transaction and every one connected with it. "I don't see how that could make any difference. I tell you we're done up, Sharpless."

"It will make just this difference: if we had that deed with Cates's signature we might stand some chance of pleading as innocent purchasers, and Cates would make a first-class scape-goat. As it is, there are some people who might be mean enough to hint that we made our title out of whole cloth. However, that's all beside the mark. This old fellow must be at least sixty-five or seventy; he's an outlaw, and he's only one ignorant man against the whole syndicate. If we can't hold our own we deserve to go to the wall."

"What are you going to do about it?"

"Run him out of the country again, if I can; get somebody to give him a hint that Uncle Sam's men would like to interview him."

"Who knows him?"

"Plenty of people among the natives, but I think he can be reached quickest through the old Scotchman up on the Little Chiwassee—what's his name? Duncan—Jamie Duncan."

Sharpless rose to go back to his own room, and Fench called to him as he reached the door.

"Say, Sharpless, you know I never would've touched this damned thing with a ten-foot pole if you hadn't made me believe the man was dead. Now you've got to stand by me; are you sure you burned that

—that deed we made?—sure you didn't make a mistake and burn the wrong one?"

The lawyer glanced back at his abject fellow-conspirator with a frown of impatience. "Fench, you make me tired. Do you suppose I'd be fool enough to take any chances?"

By what means the attorney carried out his threat of intimidation no one but those most nearly concerned knew, but there was no more talk of the sentinel on Eagle Cliff, and the gossips of the town were much too busy fighting for the crumbs which fell from the speculators' table to make more than a passing mention of the old mountaineer's second disappearance.

V.

A CHANCE ACQUAINTANCE.

The train on the Chiwassee Valley Extension lurched uneasily round the curves in the new track of the branch line, leaving a trail of sooty smoke hanging in the foliage on the mountain-side and stippling the pools in the river with showers of cinders from the engine where the railway embankment skirted the stream. The afternoon sun had dropped behind the summit of John's Mountain, but his oblique rays still poured into the valley through occasional gaps in the ridge, projecting grotesquely lengthened shadows of the moving train half-way across to the western slope of Jubal Mountain. A cool breeze, fragrant with the breath of wild honeysuckle and spicy with the resinous smell of old-field pines, blew in at the open windows of the car; and Thorndyke, lying back in his seat with half-closed eyes, tried once more to set in their proper order the events of the last few days in New York. There was no particular reason why they should be assorted and labelled, save one: the memory of them seemed to be slipping away from him. There were times when he could not be sure that he had signed his will; when he could not remember what he had said to his mother at parting. And as for that pathetic little scene in the dimly lighted drawing-room at the Morrissons', it might have happened ten years before. He asked himself if it were possible that it was only two days since he had choked in trying to say good-by to Helen. It was beyond belief; the miles of distance had somehow become transmuted into years of time, and the memory of that evening, only two evenings ago, was already beginning to fade. Was it only because the change of scene and of encompassments pushed the things of yesterday aside to make room for newer impressions, or did the reason lie in the grim fact of irrevocability? Thorndyke pursued these reflections so far into the field of abstractions that the man in the next seat spoke twice before he got an answer.

"I beg your pardon," Philip said, coming back to actualities with a reluctant effort. "What did you say?"

"I asked if you were going up to Allacoochee," said the voice.

It was an unpleasant voice, reminding one of the buzzing of blue-bottles and other annoying insects. Thorndyke looked around, and saw a wiry little man with keen eyes, a thin beak-like nose, scanty

black side-whiskers, and a straggling moustache drooped in an evident but unsuccessful attempt to cover the faulty teeth. Foreseeing tedium in the face, he answered vaguely :

"Yes ; I believe my ticket reads to that point."

The human fly was not to be silenced by any such mild discouragement. "I supposed so," he buzzed. "My name is Fench,—Jenkins Fench,"—handing Thorndyke a card which ingeniously combined the name with a somewhat ungrammatical advertisement of the Allacoochee Land, Manufacturing, and Improvement Company,—"*Guaranty Building, 422 Broadway. Drop around to my office when you get settled, and I'll give you some pointers that'll put you right in on the ground-floor. What name did I understand you to say?*"

"I didn't say," contradicted Philip, meekly, passing his card across to the man of business.

"Ah, Thorndyke ; glad to know you, Mr. Thorndyke. As I was saying, if you'll come around——"

"I have no idea of investing in Allacoochee," Philip interrupted, hoping to escape. "I'm in Alabama for my health, and I don't expect to stay in town very long."

"Oho, yes ; for your health, eh ?—consumption, I suppose. Well, well ; in life we're in the midst of death, and no man knoweth the day or hour."

Mr. Fench seemed nonplussed for the moment, but he rallied immediately and went on with increasing zeal.

"In that case, Mr. Thorndyke, what better legacy could a man leave his folks than a few solid investments in our promising young city ? Why, my dear sir, as a stranger, you can have no idea of the vast and wonderful resources of this marvellous region,—absolutely no idea at all. And Allacoochee is the natural centre for the whole country,—the point where all the industries within a radius of five hundred miles are bound to cluster. Just run your eye over this map : look at that for a location ! This part that's platted off is as level as a floor, and here's the railroad running straight through the middle of it,"—he was leaning over the back of the seat now, holding the map spread out before his unwilling listener,—"*plenty of room for side-tracks over here, you see, and for the shops that the road's going to build. Then here are the spurs down to the rolling-mill and the furnace on the bank of the river ; this one goes up to the coal-mines, and that to the iron-mines across the Little Chiwassee. This piece of ground's reserved for a woollen-mill, and that strip down there by the river is taken for a swing-factory,—baby-swings, you know,—a saw-mill, a planing-mill, a sash-and-door-factory, a——*"

Philip made two or three wild passes at his human blue-bottle, succeeding finally in interrupting with a promise to call upon Mr. Fench at his office and pleading weariness as an excuse for not investigating the subject on the spot. Fench folded his map and rested his case with the promise ; but he kept up a running fire of encomiums on the New South and Allacoochee, which the effort at postponement had only changed from particulars to generalities, while Philip leaned back in the corner of his seat and gave himself up to an ecstasy of loathing.

While the endless tale of prosperity continued, the light went out of the sky, and it was quite dark when a brakeman thrust his face into the car to call, "Allacoo-o-ochee!"

Thorndyke gathered up his belongings with a sigh of relief, and presently found himself standing under the glare of an electric lamp on the station platform, trying to hazard a guess at the best hotel in the place as the names were shouted out by the knot of yelling hackmen.

"Here you are for the Allacoochee Inn!"

"Right dis-away for de Mountain House!"

"Shut yo' fish-trap, niggah!—yass, sah, right hyah, sah; 'bus fo' de Hotel Johannisberg."

Notwithstanding the poet's doubting question, there is always more or less in a name; and the Hotel Johannisberg gained a guest that night upon no better grounds than that the word awoke pleasant memories in the mind of a man who knew Europe rather better than he did his own country. As the omnibus jounced along over the unpaved streets, Thorndyke amused himself by picturing the probable contrast between the backwoods tavern and its high-sounding appellation. He was rather more than surprised, therefore, when the omnibus stopped in front of a three-storied building standing in a park-like enclosure and ablaze with gas and electric lights; and astonishment rose into admiration when a liveried servant ushered him into the magnificent rotunda floored with marble mosaic and wainscoted in quarter-sawed oak. Everything about the place was cosmopolitan and modern, from the convenient telegraph office in the corner to the suave clerk, who might have been a swift importation from the best-appointed hostelry in New York.

"Glad to welcome you to Allacoochee, Mr. Thorndyke," he said, hospitably, when Philip had registered. "We're a little crowded to-night, but I can give you a good room on the second floor, if that will answer."

"I'm not particular, so that it's comfortable," replied Thorndyke, glad to have his forebodings dispelled. "Is supper served?"

"Dinner, if you please," corrected the clerk, affably, summoning a call-boy. "Show Mr. Thorndyke to his room,—number 83." And Philip followed his coffee-colored guide to the elevator with an uncomfortable conviction growing upon him that he had somehow stamped himself as provincial by suggesting supper instead of dinner.

The meal was excellent and well served; and the comfort of his room, after two weary nights in the sleeping-car, made Thorndyke a late riser on his first morning in Allacoochee. After breakfast he went out upon the veranda to give the feeling of appreciative surprise a chance to expand with a wider view. The Hotel Johannisberg was owned by the Town Company, and its situation on a slight knoll at the foot of John's Mountain had been chosen with a view to the prospect. Standing on the steps of the veranda, Philip saw a background of wooded slopes rising in green bravery to the line of rugged cliffs at the summit of Jubal Mountain; a middle distance of valley where the course of the Chiwassee River was defined by a bed of fleecy mist

ruffled into semi-transparency by the warmth of the morning sun; to the left, beyond the narrower strip of mist marking the windings of the Little Chiwassee, the bold forehead of Bull Mountain overtopping the town. These were the frame for the picture which human activity was etching into the level area enclosed by the two streams. Long vistas of streets marked by furrows turned at the curb-lines; open spaces dotted with the stakes of the surveyor and heaped with piles of brick and lumber; uncounted numbers of half-finished buildings upon which the workmen clustered like swarming bees; the muffled drumming of hoisting engines; the strident exhausts of the locomotives in the railway yard; the clang of hammers in a boiler-shop,—everywhere the sights and sounds of restless industry and impatient progress.

Under such circumstances the gregarious impulse asserts itself irresistibly. Thorndyke looked about him for a possible sympathizer, and, by a process of natural selection which is as unaccountable as it is inerrant, he pitched upon a young man sitting apart from the various groups on the veranda. Drawing up a chair, he began to unburden himself.

"It beats anything I ever heard of," he said. "What is there behind it all?"

Standing as a target for the gunnery of other people's surprise was no new experience for the man of Philip's selection, and he smiled good-naturedly. "A good many people have asked that question. I can't answer it to my own satisfaction, but others would say the coal and iron; the lack of important manufacturing centres in the South, and the consequent pressing need for one just here; the climate, and a hundred other things besides."

"Are the coal and iron realities?"

"Oh, yes,—very much so; this mountain behind the hotel is a vast coal-bed, and that one over there"—pointing to the cliffs across the Little Chiwassee—"is equally rich in iron of fair quality."

"Then the people are not merely crazy enthusiasts, after all."

"That's as you please to look at it. So far as natural resources go, the place is solid. There is any quantity of building-material, marble, sand and limestone, fire-clay, timber, coal, and iron. If a city may be built upon the mere presence of raw material, Allacoochee is a fact accomplished."

"That implies a doubt: may I ask the reason?"

"Certainly, though I'm not at all sure I can make it plain. All the advantages I have named and a dozen more are here, to be sure, but they've always been here, and it remained for our friends the promoters to find out that they would warrant all this,"—including the visible part of Allacoochee by a comprehensive gesture. "More than that, the same advantages may be found in plenty of localities in the South, some of them much more accessible than this valley. And then I have an old-fashioned idea that cities can't be created arbitrarily."

They smoked in silence for a little while, and then Thorndyke took a card from his case and handed it to his companion.

"Let me introduce myself," he said. "I just got in last night, and you may be able to tell me what I want to know."

"I am entirely at your service, Mr. Thorndyke."

The reply was prompt and courteous, and Philip read "Robert Protheroe, C.E.," on the card which was handed him.

"My physician has sent me here," he explained, "and he tells me I must live out of doors. How shall I go about it?"

"How do you want to go about it?"

Philip laughed. "I'll have to confess that my plans are a trifle indefinite. I had an idea that perhaps I might go into the woods with the lumbermen or the turpentine-gatherers."

"You're still too far north for that; there are no lumber camps or turpentine forests in this part of the State, and if there were, I hardly think the life would be what you want. Your trouble is pulmonary?"

"Yes; pulmonary."

Protheroe reflected for a moment. "This country is said to be favorable for consumptives,—on better authority than that of our friends of the prospectus, I mean,—and if you ask my advice——" He paused and looked inquiringly at Philip.

"Yes; please go on."

"I should say that you might find out what it will do for you by getting board at some farm-house in the valley. You could put in your time tramping about, and the scenery would give you an object. There is only one difficulty."

"What is that?"

"Farm-houses where you can get anything to eat besides bacon and corn-pone are not plentiful in this part of the country."

Having his recent experience with the railway eating-houses before him, Philip shuddered. "I'm willing to rough it," he said, "but I'm not anxious to add dyspepsia to my other ailments. Don't you suppose I could find a place where the bill of fare wouldn't be quite so limited?"

"You'll find very few of them in this mountain region: roughly speaking, there are only two classes of white people,—a small minority of well-to-do planters and farmers, and a large majority of poor folk."

"That's rather discouraging; and yet it seems as if I ought to be able to find what I need. I don't expect much in the way of accommodations; I'd be satisfied with good plain country board, such as we get among farmers in the North."

"I know of but one place near here that answers your description. It's in a Scotch family up on the Little Chiwassee; but I hardly think you could get in there."

"Do you think not? I'd try not to be troublesome; and if it would be a question of money——"

"No, it wouldn't be a question of money." Protheroe stopped abruptly and twisted at his moustache. "I wish you hadn't said that," he added, frowning; "there are some few things in this world that can't be bought with money: a foothold in Jamie Duncan's home is one of them."

"I beg your pardon," Philip protested, flushing painfully at the thought that Protheroe had misconstrued his meaning. "I only meant that I am able and willing to pay for what I get; I——"

Something gripped his throat, and an uncontrollable fit of coughing strangled him and broke the sentence in two. When he put a handkerchief to his lips it came away spotted with blood, and Protheroe saw it.

"For heaven's sake! I had no idea you were that far along!" Let me help you."

He led Thorndyke to the elevator and through the long corridor on the upper floor, making him lie down as soon as they reached the room.

"Is there anything else I can do for you?—shall I call a doctor?" he asked.

Thorndyke shook his head. "It's rather worse than I gave you to understand; my physician in New York allowed me six months, and I've eaten into one of them pretty deeply already."

"Six months! Did the man send you down here to die?"

"It amounts to that; but I knew. It was the only chance for me."

Protheroe made two or three turns up and down the room, and then stopped with his hand on the door-knob. "I'll be back after a while to see how you are; in the mean time you lie still and just make up your mind you've got to win: it's more than half the battle. You're sure there's nothing I can do for you?"

"Nothing, thank you, but you mustn't let me impose on your good nature. I can ring up the office if I need anything."

Protheroe went down the hall talking to himself. "Poor fellow! I'm afraid it's all day with him. I ought to be ashamed of myself for pretending to misunderstand what he said about paying his way; I am ashamed, and I'll prove it by trusting the poor devil—and Elsie."

VI.

A RELUCTANT SAMARITAN.

Robert Protheroe was not the man to let a good resolution warp in the cooling. He was self-made, in the sense that he owed his parents little beyond the fact of existence; and the world, after its wont with waifs, human or otherwise, had tempered him in a saltish bath of adversity and sharpened him upon the grindstone of experience. Having made shift to climb some inconsiderable distance up the slippery hill of knowledge by his own unaided exertions, he fell easily into the habit of thinking himself more capable than other men. The demonstration was simple and conclusive. He had proved his ability to wring a measure of success out of adverse circumstances where others, with all the advantages of preparatory training, had failed. He was too kind-hearted to be cynical, but he could not help making comparisons; and they were usually unfavorable to those who inspired them.

In the short conversation on the hotel veranda, Protheroe had taken Thorndyke's measure with a considerable degree of accuracy, and but for the enlistment of his sympathies he might have been inclined to look upon the New Yorker as a person who would probably serve, upon better acquaintance, to point the moral of another comparison. As it

was, however, criticism was swallowed up in charity, and fifteen minutes after leaving Thorndyke's room Protheroe was galloping out one of the prospective streets, which, turning abruptly around the shoulder of John's Mountain, became a country road leading up the valley of the Little Chiwassee. His destination was a small farm—the home of the Duncans—lying six miles up the valley; and his object was to prevail upon his friends to open their doors to the sick man.

There was a small romance at the bottom of the Scotchman's settlement in Alabama. Duncan had been a school-master in Lanarkshire, and Martha Kinross was first his pupil and later his sweetheart. Martha was the laird's daughter, and the laird, having a just regard for worldly gear, objected to the penniless pedagogue. For once in a way, Duncan put his hereditary caution under foot, gave up the school, married the girl, and together they ran away from the laird's wrath and from the Old World. Once over seas, the winters of Quebec became a sufficient pretext for farther wanderings, and these, being aimless, ended as well in Alabama as elsewhere. They had bought the worn-out farm in the Little Chiwassee Valley before Elsie was born, and the chief motive in its selection was one which neither Duncan nor his wife would have acknowledged. The narrow valley was a Scottish glen; the surrounding mountains were the hills of Lanark magnified somewhat by the kindly perspective of time and distance; and it was within the compass of a merely practical imagination to transform the small river into a Scottish burn.

Not to be outdone in a matter of sentiment, the valley had repaid the parents in kind by giving what a mild climate and inspiring scenery may give toward the endowment of the daughter. Elsie Duncan was comely and passing fair to look upon, as the native-born daughters of aliens are wont to be; moreover, she was simple and true-hearted, thinking there were no mountains like her own mountains and few men as good as her father. She was as the apple of Duncan's eye, and for her sake he had turned school-master again, giving her what she had otherwise gone wanting in a bookless land. Without having been pointed thitherward, Duncan's efforts to lift his daughter above the educational level of the neighborhood brought about a result which was not the less gratifying because it was unforeseen. The book-learning raised a barrier between the girl and the mountain and valley youth which was more impassable from their side than from hers, and until Protheroe had stumbled upon the Duncan homestead on one of his prospecting journeys there had been no suitors at the farm-house. Nor is it quite fair to say that the young engineer was the exception. He had always been welcome at the stone house in the valley, but he had not yet got beyond the unspeakable stage with Elsie.

It was the uncertainty of his standing with her that made Protheroe hesitate to introduce a possible rival; and it was his assumption of superiority over the common foibles and weaknesses of humankind in general, and of jealous lovers in particular, that, united with his sympathies to make him change his mind.

The wagon-road up the valley of the Little Chiwassee follows the stream to a point within a quarter of a mile of Duncan's house, where

it climbs a low wooded spur of John's Mountain. From the top of this spur the young engineer could look down upon the house and its surroundings, and he saw Duncan in the barn-yard talking to a stranger, —an old man with white hair and beard falling over the cape of a tattered army overcoat. At sight of Protheroe the man climbed the fence and ran up the mountain, while Duncan came around the house to the gate.

"Good-morning, Mr. Duncan: I hope I didn't scare your neighbor away. He took to the woods as if he thought I might be a constable with a warrant."

"An' who kenned ye were not, when ye cam' loupin' ower the hill yonder?" Duncan came out and loosened the saddle-girth while Protheroe was hitching the horse.

"I did, for one, and you ought to, for another. But tell me, who is your neighbor who looks old enough to be my grandfather and who yet makes nothing of a ten-rail fence and a steep hill-side?"

"Ye're ower curious, Robbie, an' I'll no gratify ye. Ony frien' o' mine's welcome to loup the fence or win out at the gate, as he pleases. But come ye into the house: ye'll be havin' an errand this mornin', I'm thinkin'."

Protheroe laughed at the shrewd guess. "I have, just that," he rejoined, "and it'll take a family council to settle it, too."

Duncan led the way to the sitting-room and called his wife and daughter from the kitchen. When they came, Protheroe told what he could of Thorndyke's story. "I know next to nothing about him," he concluded, "but he is evidently a good fellow, and if there is a fighting chance for him in this climate it seems as if he ought to have the benefit of it."

"Puir body!" said motherly Mrs. Duncan. "What shall you say, Jamie?"

"I'm thinkin' it'll be for ye to say, Martha."

Protheroe had been trying to read Elsie's face, and the expression of awakened sympathy thereon made him regret for a moment the warmth with which he had been pleading Thorndyke's cause.

"I'm no sayin' it wouldna be a Christian thing to do," continued Duncan, speaking to Protheroe, "but it'll pit mair work on Martha an' the bairn, an' I'm no just free to say when it comes to that."

"I think you needna be troubled about that," said the wife. "The pot winna overflow for one mair in the family."

While they were considering ways and means, Elsie held her peace, but Protheroe could see too plainly for his own comfort that she favored the plan. When he put his conclusion to the test by asking her what she thought of it, she answered, dutifully,—

"It's for father and mother to say, but I think we ought not to refuse in such a case."

It was the casting vote, and when the matter was definitely settled Protheroe had no desire to prolong his visit.

"No, I think I'd better get back and tell him," he said, in reply to Mrs. Duncan's hospitable entreaties. "It'll brighten him up after the scare he's had this morning."

Duncan went with him to the gate. "Robbie, lad, ye'll no be sayin' onything ower yon"—with a jerk of his thumb toward Allacoochee—"about the frien' o' mine that louped the fence."

"Certainly not. And about Thorndyke; you know nothing of him excepting what I've told you, but I'll be responsible for the expense, if need be."

"Hoot, mon! I'm no that canny!" protested Duncan, but Protheroe smiled when his back was turned, thinking how the Scot's face had brightened at the satisfactory mention of security.

On the ride back to Allacoochee the young engineer had a bad half-hour. Such comfort as could be got out of the consciousness of a good deed well done was quite overshadowed by a very natural fear that he had thoroughly and consistently done the thing which of all others would be most likely to jeopardize his chances with Elsie Duncan. He did not regret it, but he was angry with himself because he found it impossible to take an enlightened view of the matter.

"I'm an ass!" he soliloquized at one stage in the short journey; "an unmitigated donkey of the pack-trains, at that! I don't deserve to have a ghost of a show after this,"—he had already gone the length of assuming that Elsie and Thorndyke would immediately fall in love with each other. "And to think that I was idiotic enough to plan the whole thing myself!"

Thus at the end of the first three miles. By the time the Queen Anne gables of the Hotel Johannisberg came in sight around the shoulder of John's Mountain, he had argued himself into a more philosophical frame of mind.

"After all, perhaps it's a godsend. Elsie has seen nothing of the world, and how else could I be sure that I was ever anything more to her than the first man she ever met? It's better to find it out now than later,—much better in every way."

At which sensible reasoning the natural man within him arose once more and mocked him.

VII.

THE LOGIC OF PROPINQUITY.

When Philip was established in the Duncan household he wrote to his mother. It was a long letter, filled with jesting raillery at the conditions of his exile, but containing no hint of what he believed to be the beginning of the end in the matter of his malady. In closing, he spoke of the Duncans:

"They are both characters, in a way, and they would interest you if you could know them. Duncan is a typical Scot, upon whom twenty years of exile have left no Americanizing mark. His speech is still of the broadest, and his cautious habit has written itself in capital letters all over his homely face. Mrs. Duncan is a person in whose presence nervousness hides its head, and before whose cheerful smile the blue devils quail and beg for another herd of swine. Could appreciative eulogy go further? Seriously, though, they have made me

very comfortable and snug in a painfully neat little box of a room under the eaves; their table is home-like and wholesome; and Mrs. Duncan's hospitality is warm-hearted and cordial without being obtrusive. For the rest, I have half a county of wild mountain range at my back upon which to spend the leisure that overflows the greater number of my waking hours, and you may tell Dr. Perevin that I mean to take his out-door prescription in heroic doses.

"Show this letter to Helen, if you please, and tell her I'll write her before long. Oh, yes; and watch the expression on godfather Morrisson's face when you tell him that he can have a few choice suburban lots in Allacoochee at two hundred dollars a front foot—at least, that was the price yesterday, though it is probably more now.

"I suppose I ought to write more, but I shan't; the spirit moves me to go and climb a mountain. Take good care of yourself, and write often, addressing me care of Mr. Robert Protheroe, Allacoochee.

"PHILIP."

In writing this letter Philip had not intended to omit the mention of Elsie's name and standing in the Duncan household, but since the thing was done he did not correct it.

"It's just as well," he told himself. "If I say anything at all, I'll have to tell how sweet and lovable she seems to be, and that might make the mother uneasy. I'll wait till I've discovered her faults."

That was the beginning of a weakness. When he wrote again, it occurred to him that his former silence might be misconstrued if he mentioned her now; nay, more, before he had been a week at the farmhouse he began to see that if he spoke of Elsie in his letters it must be in terms of praise. In his most self-reliant moods he had always been more or less dependent upon a sympathetic atmosphere; and under the circumstances which made him an inmate of the Duncan home, this dependence became a morbid craving. And of pity and sympathy Mrs. Duncan and Elsie gave him unstintingly, out of the overflowing kindness of good hearts.

For a few days after his removal from town, Philip spent much time on the mountain. Then there came a week of rainy weather, and by the time the skies cleared he found it singularly easy to stay in the house. During the in-door week he had stumbled upon an occupation which was both pleasant and dangerous. This was the fact, though he recognized only the pleasure and shut his eyes to the danger. Elsie's lessons had stopped at the end of her father's acquirements, and she was ambitious and eager to go on. Thorndyke found this out, and turned pedagogue with the idea that he would repay kindness with kindness. The lessons, begun during the week of rainy weather, were continued without interruption, until one day, when Philip was more languid than usual, Elsie's conscience awoke with a start.

"Mr. Thorndyke, you're doing wrong!" she said, looking up in self-reproachful dismay. "You haven't been on the mountain for two weeks!"

"It's much pleasanter here," Philip replied.

"But that isn't it. Didn't your doctor say you must stay out of

doors?—and here I've been keeping you in the house when every hour of sunshine is precious."

"Don't blame yourself; I stay in because I like it better. It's a weariness to the flesh to go tramping about alone."

Elsie put her book away and took up her sewing. "I'm not going to encourage you to stay in, anyway," she said, with a pretty affectation of inflexibility; "and you ought to be ashamed to call my mountain tiresome. I used to almost envy you your long walks."

"Why do you call it your mountain?"

"Because it's been my playmate ever since I can remember. When I was a little girl I used to sit on that big rock behind the garden and read dear old Sir Walter till I imagined I could hear the galloping of the dragoons in the lower valley, and the skirling of the pipes up by the Pocket. And I've never quite lost the hope that some day I shall meet a bonnie chieftain with his tail of clansmen picking his way down over the stones in the gulch."

"And you the daughter of a Lowlander. I'm shocked! Why, the very first thing Vich Ian Vohr would do would be to harry your father's farm! But if you know the mountain so well, what's to prevent your showing me how to become interested in it? Why can't you take a tramp with me this afternoon?"

"I—I don't think I ought to take the time: mother'll be wanting me to help about the house."

She bent lower over the sewing, and Philip saw a faint tinge of color creep up to hide itself under the waves of bright hair on her forehead.

"Then I won't go alone," he protested, obstinately, and as Mrs. Duncan came in he appealed to her. "Mrs. Duncan, can't you spare Elsie to go up on the mountain with me this afternoon?"

"What for no?" was the ready answer. "Ye'll baith be the better for a bit walk in the open. I'm thinking the buik is keeping ye ower close to the chimney-neuk, Mr. Thorndyke."

The appeal settled the question for Elsie, but her evident embarrassment puzzled Thorndyke. For a swift instant a possible explanation thrust itself upon him, but he put the thought away with a twinge of shame that he had given it room. Doubtless Elsie had her own reasons for her apparent confusion, but they concerned him only so far as to make it advisable that he should do nothing to place himself in a false light before her. The afternoon ramble would give him a chance to tell her more about himself, and if the vagrant suggestion which he had made such haste to disown had any remote kinship to fact, the bare mention of Helen's name would set the matter right, and there would be no room for future misunderstandings. It was clearly the just and honorable thing to do, and now that he thought of it, he reproached himself for not having done it sooner. With a different upbringing, Philip might have seen the unmalleable self-conceit in all this, and having recognized it he would have been honestly and frankly ashamed of it. Since he was not aware of its existence, his resolve to make a confidante of Elsie took the comforting form of an act of delicate and chivalric thoughtfulness, and he looked forward with magnanimous impatience to the time when he could give it speech.

After dinner, however, when they were climbing the steep path leading to the summit of John's Mountain, the good resolution began to part with its urgency. Elsie's embarrassment had disappeared, and in such irrelevant talk as the scramble up the rocky trail permitted, there was no opening for anything like confidences. With the delay Philip began to doubt the necessity. If he were not under sentence of death it would be different, but in the light of that tremendous fact, why should he go about to observe the unwritten laws of conventionality? It could surely be no disloyalty to Helen if he allowed himself to take what of sympathy and pity this other young girl chose to give him out of her abundance of life and health. On the contrary, would not Helen be glad, when all was said, to know that he had not died without the unction of compassion? And Elsie?—that was a phase of the question which might well be treated as a wise man treats a sleeping dog; it was the very hardihood of vanity to suppose that her heart was touched by any emotion deeper than that of pity. Knowing that his days were counted, there could be no offering save at the shrine of womanly tenderness and sympathy. In any event, there was no occasion for haste; he would wait awhile and see what came of it.

When one begins to argue with his conscience it is a foreordained conclusion that conscience will get the worst of it. Lest Philip should be set down as a poor figure of a man, prone to do weak things as are the sparks to fly upward, let it be said that he did only what seemed at the time to be good and right. Love, or what passes for love, is not always accountable to logic or to common sense; it may, perhaps, be the adopted child of the intellect, but it is begotten and nurtured by the senses. Propinquity, contact, daily association, the farness of one object and the nearness of another, all these influences were, in Thorndyke's case, opposed to what was unconsciously becoming day by day more of an abstraction,—his fealty to Helen. And, besides, when one firmly believes he has made his salaam to the King of Terrors, the conviction may so distort the mental and moral vision as to make one practically color-blind.

Half an hour after Elsie and Philip had disappeared in the forest, Protheroe rode up to the gate with a packet of letters for Thorndyke. When he learned that the invalid and Elsie were on the mountain together, he seemed quite as anxious to get away from the farm-house as he had just been to reach it. On the way back to town he had another impatient argument with himself, coming out of it as on a former occasion, with a certain measure of philosophical resignation, for which he paid rather dearly in the coin of disappointed hopes.

VIII.

THE HERMIT OF THE POCKET.

"Wait a minute and I'll help you," said Philip, bursting his way through a tangle of briars toward Elsie, who stood at the foot of a miniature cliff, the last in the series guarding the summit.

For answer she sprang lightly to a projecting ledge, balanced her-

self, and darted up the face of the rock without appearing to touch it. There was a great rhododendron at the top, and her laughing face was framed against the background of glowing color as she called down to him.

"I'm waiting; sha'n't I give you a hand?"

Philip said no, climbing laboriously after her. Half-way up, he slipped and slid back to the bottom; when he tried again she threw herself down upon the flat top of the rock, grasped his wrists just as he was losing his hold for the second time, and pulled him up to a firm footing beside her. It was nothing but a bit of spontaneous helpfulness, but none the less the incident served to reopen the question which Philip had just dismissed. He sat down at her feet to recover his breath while she gathered a handful of the rhododendrons.

"Did it tire you?" she asked.

"No, not very much. I wasn't thinking of that: I was trying to bring myself to the point of telling you something that you ought to know."

"Is it about yourself?"

"Yes."

She sat down beside him to arrange the flowers. "I am listening," she said, encouragingly.

The opportunity had come, but Thorndyke trifled with it. "Do you know why I came to Alabama?" he began.

"Why, yes; it was on account of your health, wasn't it?"

"It was; but did you know that my case is quite hopeless?"

"I knew you thought it so."

"I still think so—the doctor as good as told me it was; and, yet, do you know that just now I felt that under some circumstances I might win my way back to health and strength again?"

"That's the way you ought to feel all the time: it's more than half the battle."

Thorndyke remembered Protheroe's words, and wondered if he had repeated them to Elsie. "I suppose I should, but I can't. It was just as you lifted me over the edge of the rock; it seemed as if you gave me a new hold upon life out of your abundance. Queer, wasn't it?" This was not at all what he had begun to say, but the words chose themselves. "It's astonishing what a retrospective field the mind will cover at a pinch, isn't it? Now, in that half-second while you were helping me I got a telescopic glimpse of my whole life, and it's always been the same way: some one has pulled me up over the hard places before I could even try to do for myself. And it's taken the color out of everything: there has never been anything left worth living and fighting for; if there had been I might be able to make some show of resistance now."

"I'm afraid I don't quite understand you," she said. "I thought everybody had something to live for."

"I presume most people have; and in my own case the uncharitable might say something about sour grapes. That wouldn't be true, though; it wasn't until I knew I couldn't live that I cared much about it. And there is every reason to suppose that, with the fear of death

removed, life would go back again to the same old dreary round and be more undesirable than ever."

She rose and fastened the bunch of rhododendrons in her belt. "Do you really mean to say that you have no reason for wanting to live? Would nobody be sorry if you died?"

Thorndyke killed his opportunity with one blow. "Yes, there may be some who would be sorry: perhaps you would care a little. But that is entirely a different matter; I'm not good enough to want to live to oblige my friends, nor bad enough to want to die to spite them. Let's go and find the Pocket you were telling me about."

It is an open question as to how literally the most sincere person can afford to be taken in a conversation which bears upon his own personality. Doubtless Philip meant to say what was in him at the time; nevertheless, repentance came afterward, and with it more good intentions. While Philip the self-estimated was as little like Philip the real as might be, yet there was undeniably an accusing conscience which the self-known Philip sought to muzzle with the fiction that the afternoon was still young. Unfortunately, however, opportunities for the saying of reluctant things do not grow upon every bush, even upon a sequestered mountain-top, and Philip's conscience was still unappeased when, an hour beyond the rhododendron, they came out upon the rim of a crater-like valley cutting a deep gash in the mountain. It was elliptical in shape, with wooded sides slanting down from the base of the cliff-line to a small cornfield in the centre; but there was no sign of a house, nor of any road leading down from the level of the plateau. A clear stream gushing from beneath a flat boulder at the foot of the southern slope, splashed riotously through the length of the valley, to vanish again into the mouth of a low-browed cave at the base of the northern cliff.

"The happy valley of Rasselas, with the inhabitants left out," said Thorndyke. "Is this the Pocket?"

"Yes; the Devil's Pocket, the mountaineers call it."

"Why 'Devil's'?" asked Philip.

"I'm sure I don't know; father says it's because some people like to name things after their patron saint."

"That's a quaint idea; but the name fits rather better in this case than it usually does. There is always something suggestive of the weird and uncanny in a valley that has no visible outlet. How does the man who hoes that corn ever get down to it?"

"Oh, there are several ways to get down, though not very many people know them."

"I suppose you know some of them; can't we explore it?"

"I think we'd better not try; it's getting late, and——"

"Who was that?" interrupted Thorndyke, pointing toward a great boulder standing like a sentinel over the cornfield.

"I didn't see anybody," replied Elsie, looking troubled.

"But I'm sure I did; while you were speaking I caught a glimpse of a man standing in the shadow of that rock just beyond the stream. He looked like another Rip Van Winkle." Philip stopped and sent his memory back over the last few days in search of something. "I

know now," he went on; "I was sure I'd seen him before. He was in the garden with your father one morning when I came down-stairs, and he ran away when he saw me. Who is he?"

"I can't tell you: it's his secret and my father's. I shouldn't have brought you here when I might have known you'd ask questions. Will you forgive me and promise that you won't say anything about what you've seen?"

"That is very feminine,—to ask forgiveness and to exact a promise all in one breath; but I'll overlook it this time and promise to be as dumb as an oyster. Only I wish you would tell me about him; you've aroused my curiosity until I shan't be able to sleep to-night."

Elsie shook her head doubtfully. "I mustn't tell anybody; I should never forgive myself if any harm came to him through me."

"But I don't understand. I hope you don't think that I'd hurt any friend of yours. On the contrary, I'd be glad to help him, if he needs help."

"Oh, he does: he needs friends so much! He's a poor lonely old man, and he's afraid of everybody; I can't even make him understand that Mr. Protheroe wouldn't hurt him."

Whoever first pointed the sarcasm which has resulted in turning a proverb upon feminine curiosity knew not whereof he spake. As compared with the greed for enlightenment which assails the masculine mind at the bare scent of a mystery, the curiosity of woman is but a sedative. Philip was no exception to the rule governing his sex, and the pathos in Elsie's voice was becoming quite irresistible.

"Tell me about him," he urged; "I'll promise anything you can ask in the way of secrecy and discretion;" and, as she still hesitated, he did not scruple to lay a snare in her way by adding, "I'm quite prepared for the worst you can say: I'll be dumb even if you tell me that the old man is an escaped murderer."

"Oh, no, no!" she said, quickly; "it isn't anything like that! He did wrong in the first place, but that was years and years ago, and he didn't understand; and now the others have been so mean to him!"

"I think you'd better tell me about it," said Philip, gravely; "if you don't, I may imagine it's worse than it really is, you know."

If Elsie did not answer at once it was not because she was afraid to trust Thorndyke, but rather for the reason that the daughter of James Duncan could not well help inheriting something of his cautious habit. At length she said, "Perhaps you could think of some way to help him; I'll tell you the story, but you mustn't say anything about it at home till after I've told father. Let's move back a little way, so he can't see us from down there."

They retreated a few steps from the brow of the cliff, and Elsie sat down upon a log, while Philip stretched himself on the grass at her feet.

"The trouble commenced a long time ago, when the mountaineers used to make whiskey and sell it to the valley people," she began. "They knew it was against the law, but I don't think they cared much about that, and, anyway, they kept on till one time the revenue officers raided the mountain. At that time John Kilgrew was living

on a little farm over yonder where you see that old orchard, and for years he had been in the habit of making a few gallons of apple-brandy from the apples that he couldn't sell. I'm sure he never thought he was doing wrong; and father says he never sold any of the brandy, though he used to give it away, sometimes, to his neighbors. Besides the place up here, he owned a farm in the big valley, and that was rented out to a man by the name of Cates.

"Father says Cates always had a bad name; he used to encourage the mountaineers to make whiskey, and then he would help them sell it in the valley. He was owing Mr. Kilgrow two or three years' back rent at the time of the raid, and to get out of paying it he told the deputy constable—or whatever you call him—that Mr. Kilgrow made brandy, offering to show him the house and the still."

"The infernal wretch!—I beg your pardon—I didn't mean to be profane. Please go on."

"Cates did what he said he would, but he was sharp enough to see that Mr. Kilgrow might get clear if he was taken, or that he himself might be arrested as a witness: so he went to Mr. Kilgrow first and pretended to warn him as a friend. Did you ever hear of such a mean thing?"

"Never. I hope it didn't succeed."

"Yes, it did; it all turned out just as Cates had planned. The revenue men surrounded the house, but Mr. Kilgrow got out of a back window and ran. They chased him clear away over to the other side of the mountain, shooting at him every time they caught sight of him, and scaring the poor old man so that he left the country and never did come back till this spring. And now, as I say, he's afraid of everybody, except father, and he lives all alone in a cave down there in the Pocket, farming that little patch of land for a living."

"And what became of the heavy villain?—Cates, I mean."

"That's what makes it so bad. When he was sure that Mr. Kilgrow had left the country, he told it around that he had bought the farm in the valley; and when the new town company came along he sold it to them, took the money, and went away."

Thorndyke's studies in the law had necessarily been the reverse of practical, but as he sat up and reflectively nursed his knees he was surprised at the readiness with which the lawyer's point of view suggested itself.

"How large was this farm in the valley?" he inquired, after a few moments of thoughtful silence.

"I don't know that, but father says if Mr. Kilgrow had his rights he would own half of Allacoochee."

Philip went into another reverie, coming out of it to say, "I wish I were well; I should enjoy taking up a thing of this kind. I've half a mind to try it, anyway, and take the chances on living long enough to see it through. You didn't know I was a lawyer, did you?"

"No, indeed; are you?"

"I presume I'm not, in the useful sense of the word, though I have a piece of parchment somewhere among my belongings that says I am. Perhaps, however, I could scare up enough common sense to

help your old friend out of his trouble; it seems to be a very clear case."

"Oh, Mr. Thorndyke! If you could only do that!"

Her face was alight with the sacred enthusiasm that makes an irresistible special pleader of every good woman enlisted in the cause of the unfortunate, and for the second time that day Thorndyke felt the subtle inspiration of her personality tingling through his veins like the fire of a strange wine. There were incendiary things at the tip of his tongue, but he withheld them, rising and saying that they had better go back to the farm-house. On the long walk across the plateau he said but little, asking an occasional question bearing upon Elsie's story and listening attentively to her explanations. Just before they came in sight of the house he asked her to wait a moment.

"If I am to do anything for your old mountaineer I must first have your father's confidence. Have you made up your mind to tell him that I'm in the secret?"

"Yes, indeed; I shall tell him to-night."

"Then you may say that I am willing to do anything I can in the matter."

"I'll tell him. It's very good and kind of you to offer to help; I don't know how we can ever make it up to you."

Philip hesitated a little before saying that which would push him still farther into the unexplored regions of duplicity; then he answered her.

"You can pay me with your approval; you can help me immeasurably,—not by lifting me over the hard places, as you did awhile ago, but by giving me credit for the energy and pluck that I ought to have. Will you do that?"

"Indeed I will." There was no embarrassment in her manner now, and no shadow of reserve in the honest blue eyes that were lifted to his. "We will all help you; and I believe with all my heart that you will win,—I don't mean for Mr. Kilgrow alone, but for yourself."

"Thank you; that's enough until I have done something," he said, and they went on down the mountain.

IX.

CROSS-EXAMINATION.

As a result of Elsie's promise to tell her father, James Duncan tapped at the door of his guest's room that night just as Thorndyke had begun a letter to his mother.

"Come in," said Philip, pushing aside his writing-materials.

Duncan entered, and, after beating cautiously about among indifferent topics for a few minutes, came warily to the object of his visit.

"Elsie's been tellin' me ye're a bit of a lawyer, Mr. Thorndyke," he said, by way of a beginning.

"Yes, I have read law in the schools."

"Noo, that's varra singular," remarked Duncan, thoughtfully,

much as if Philip had asserted that he was a high-caste Brahmin,—“varra singular; but, then, it may be no so inopportune, after a’. Would ye min’ tellin’ me, noo, what for ye cam to study the law?”

“Chiefly because my father wished it. It was his profession.”

“Ow, aye,” said Duncan, rubbing his chin and relapsing into a silence which seemed to indicate that he had come to the end of his introductory resources.

Philip thought to help him along by asking if there were need for legal advice in the affairs of the family.

“Na, na, it’s no just that; but there’s, as one may say, a frien’ o’ the family wha wouldna be the waur for a wee bit o’ that same. I’m thinkin’ Elsie’s been claverin’ about it when ye was ower yon.”

“She told me about the troubles of your old friend Kilgrow, and I offered to help him if I could. Was that what you meant?”

“Aye,” said Duncan, and, as he showed no disposition to be more explicit, Philip continued:

“If I am to act as attorney for your friend, it is needful that I should know all the facts. Are you prepared to give them?”

Duncan was evidently making a conscientious effort toward frankness, but with such meagre results that Thorndyke was finally compelled to extract the desired information piecemeal, as from an unwilling witness. After getting the outline of Elsie’s story verified, he proceeded to particulars.

“How long had Kilgrow owned the land when he took Cates as a tenant?”

“I’m no verra clear upo’ that point, but it’s a matter o’ twenty year or more, as I ken mysel’.”

“Was his title clear?”

“I think there’s na doubt aboot that.”

“What’s the name of this county?”

“Chilmath.”

“And Allacoochee is the county seat?”

“Aye.”

“Does this farm of Kilgrow’s lie wholly within the limits of the new town?”

“I canna say as to the preceese leemits; I’m thinkin’ it’ll tak in aboot half the town.”

“I suppose no one knows anything about the exact nature of the transaction between the town company and Cates?”

“Naething mair than that Cates got a thousand dollars on the nail.”

“Was that a fair price for the land at the time?”

“Na, it wasna mair than half-price.”

Thorndyke made a note of this. “That’s our starting-point. You knew Cates: what kind of a man was he? Would he be likely to sell anything at half-price of his own accord?”

“Na, that he wouldna; he was a canny chiel, an’ ower fond o’ the main chance.”

“Then there was probably some pressure brought to bear on him.

Now, what do you know about the town-company people? Who made the deal with Cates?"

"A lawyer by the name o' Sharpless, an' the agent, Master Jenkins Fench."

"Oho!" said Philip, recalling his martyrdom on the train. "That fellow was in it, was he? He's a rascal, if ever there was one out of jail. If his face doesn't belie him, he's equal to anything in the way of fraud. How about his partner?"

"The lawyer? I'm thinkin' he's a deal waur than t'other."

"It isn't very likely that they bought the land without knowing all about the flaw in the title, unless there's been more crookedness than we know about. Is Kilgrow sure that he never signed any papers for Cates or any one else?"

"He's varra willin' to tak his oath upo' that; an' it's the mair unlikely, sin' he canna read or write."

"And you say Cates got his money and then disappeared?"

"Aye."

"That adds a little to the suspicious look of the thing; but, then, it's a free country; I suppose a man may go or stay as he pleases."

Thorndyke locked his fingers behind his head and sat back with half-closed eyes while he went over the facts again, weighing each point in turn. Duncan misunderstood his silence and grew uneasy.

"I'm thinkin' ye'll be countin' the cost o' the leetigation, Mr. Thorndyke; I'm no that weel able——"

"Make yourself easy on that point, Mr. Duncan," interrupted Philip; "I wasn't thinking of demanding a retainer. We'll try to make the other side do the paying when the time comes. In the mean while, if I take hold of the case it'll be merely out of friendship to you and because I need something to do. What I was thinking of just now was the chance of our being able to prove collusion between the town company and Cates. If we can't do that, we may have our labor for our pains."

"Aye?"

"Yes. Cates is well out of the country, and, anyway, I suppose he has nothing. No, we've got to recover from the town company, and in order to do that we must be prepared to prove that its agent knew of the fraud when he bought the land. Then it would be a plain case in equity, and no chancellor would hesitate about issuing a writ of possession."

"Would Keelgrow hae to show himsel' in court?"

"Not necessarily. The evidence in chancery causes is taken by deposition, and there is no formal trial as in common-law procedures; the chancellor examines the evidence and hands down a decree in accordance with the facts."

"That's ane thing in our favor, then; Keelgrow is that fearsome o' courts an' constables that I'm thinkin' we'd hae muckle trouble persuadin' him to testify."

Thorndyke laughed. "I suppose he hasn't got over the apple-brandey scare. That'll never be revived, and if it were, we could easily clear him."

Duncan shook his head doubtfully. "I winna be so sure o' that. It's na mair than a month sin' I got word that the revenue men were speerin' round after auld Johnnie again."

Thorndyke came out of his nonchalance with a bound.

"You did! Who told you that?"

"I had a bit writing frae some mercifu' body in the town."

"Mr. Duncan, that's the most important thing you've told me yet! Find me that letter, if you can."

Philip walked the floor excitedly until Duncan came back with the missive in question. It was written in typewriting on a blank letter-head, and it was dated at Allacoochee.

"DEAR SIR,—

"It is known that you are friendly toward an old mountaineer named Kilgrow who is wanted by the United States officers for a breach of the revenue laws. It is rumored here that the officers have information of his whereabouts, and that if found he will be arrested and brought to trial. It would seem, to one who knows the circumstances, to be merely an act of common humanity to warn the old man.

"A FRIEND."

"What do ye mak out o' that, Mr. Thorndyke?" asked Duncan, after Philip had read and examined the letter.

"Just what I expected when you mentioned it. There's only one man or one set of men who could be benefited by getting Kilgrow out of the way. When we can trace this letter to its source we'll find that either Sharpless or Fench dictated it. It's the most important bit of evidence I've had, so far, because if I'm right it proves that Sharpless and Fench are not innocent. The next thing in order is for me to have a talk with Kilgrow; you'll have to see him and smooth the way for me."

Duncan promised and bade his guest good-night; after which Thorndyke went to bed to dream of endless lawsuits and interminable weddings, in which Helen and Kilgrow, James Duncan and Elsie, were confounded in hopeless confusion. And for a grotesque background, the scenes of his dreams had for a stage-setting the new city of Allacoochee, rising and spreading like another flood until the waves of buildings surged up the valley and over the mountain to tumble in a cascade of bricks and mortar into the quiet depths of the Devil's Pocket.

X.

FOR GOOD OR ILL.

In offering to fight the battle for the old mountaineer, Thorndyke had reckoned without his host in one very important particular. When he awoke from a troubled sleep on the morning following the talk with Duncan he was too ill to get up, and he was still in bed when the farmer came to call him to breakfast.

"I feel as if I'd been brayed in a mortar," he said, in reply to

Duncan's inquiries. "I suppose it was the long tramp yesterday; I ought to have had more sense than to try it."

"Na, na, then," said Duncan, soothingly; "it's mair the fau't o' the bairn: she winna be considerin' that ye're ower pawky to be scam'-lin' sax or aught miles on the mountain."

"Please don't blame her; she couldn't know how good-for-nothing I am: I didn't believe it myself. But I'm glad you came up; I wanted to see you about this Kilgrow business. It mustn't be allowed to drag, you know; the old man isn't safe from one day to another while he stands in the way of such men as Fench and Sharpless. That letter you have is only a beginning; if they find out it hasn't driven Kilgrow out of the country, we may look for harsher measures. Can you see the old man and bring him to me to-day?"

"Na, na," objected Duncan; "ye'll no be able to fash yer brain wi' business this day. Johnnie Keelgrow's case has kept weel enough these sax years, an' a day or so mair or less winna mak or break him."

"But you don't understand," insisted Thorndyke, rising on his elbow and pushing back the dizziness that threatened to submerge him. "A single day may make all the difference between success and failure. You must remember that it's the life or the liberty of one poor old man against more money than you ever saw. If you don't promise to bring Kilgrow here to-day, I'll get up and go to him, sick as I am."

Duncan yielded at discretion, secretly proud of the invalid's pluck. "Mak yersel' easy, Mr. Thorndyke, an' dinna fash yersel' waur than ye need. I'll fess auld Johnnie down, gin I hae to tie him neck an' heels an' lug him. Do ye just be quiet noo, an' Martha'll bring ye a bit an' a sup."

Thorndyke sat up to eat the breakfast brought him a little later by Mrs. Duncan, and he was able in the course of the forenoon to dress and go down to the sitting-room. Elsie had been reproaching herself all the morning for her part in the imprudent excursion of the day before, and when the invalid came down she installed herself at once as his nurse and companion. Philip was made comfortable upon the lounge, and when he was tucked in with rugs and propped to the exact angle of restful ease with pillows, the girl ransacked the ancient book-case for something to read to him. Philip saw and protested.

"You mustn't waste your time coddling me," he said; "just bring your work and sit here where I can see you. I'm not half as sick as I might be, and if you start in humoring me now there's no telling what you'll have to endure later on."

She brought her sewing and sat down beside the lounge. "I don't believe you'd be very hard to manage."

"That's because you don't know me; my mother could tell you how exacting I can be, though I say it's chiefly her fault for not letting me shift for myself."

Elsie held her peace for a moment, and then asked, "Does your mother know what you told me yesterday?"

"About my health? No."

"Don't you think it was cruel not to tell her?"

"No. Why should I add some months of suspense to a sorrow that will be long enough and bitter enough at the best?"

"She won't look at it that way; and if the sorrow comes it will be all the harder to bear for not having known. And that's at least one good reason why you shouldn't give up: you know you said you hadn't any, yesterday."

"Did I? Perhaps I should have made an exception; but I was thinking of other things just then."

Whereupon the "other things," summoned by name, came back to demand a reconsideration. Philip resisted, interposing the inertia of illness between himself and the nagging of the self-examining impulse. It was much pleasanter to lie back among the pillows watching Elsie's skilful fingers ply the industrious needle,—pleasanter and more restful. After a time he said, "You are all very good and kind to me here."

Elsie looked up quickly. "I shouldn't think you'd say that—after I made you sick dragging you all over the mountain."

"It isn't your fault that I haven't any more vitality than a transplanted chimpanzee; and, besides, the tramp was my own proposal."

"But I do blame myself. You didn't know how far it was over to the Pocket, and I did."

"That's nothing; if I wasn't so nearly done for, a little walking wouldn't put me down."

"You mustn't get discouraged. Think of what you have to live for, and just make up your mind you won't give up."

"Is there so much?"

"Isn't there always?—while there is good to be done and evil to be prevented? You found one thing yesterday."

"Yes, if I can only live long enough to set it right."

She caught at the hopelessness in his voice, and answered it out of a heart full of pity. "You oughtn't to look at it in that way. Why can't you turn Mr. Kilgrow's trouble, and everything else, into so many stepping-stones to carry you across to where you can feel the solid ground under your feet again?"

There was a swift undertow of inference in her question that carried him quickly out into the sea of impulse. "Do you really mean that? Do you think I should be justified in taking the help I need wherever I find it?"

"Why not? Isn't it right and necessary that you should? Father says if we will look around us we'll always find something to make bridges out of, no matter how deep or how wide the stream is."

"And you think there is hope for me; I don't mean for a mere existence,—that alone isn't worth fighting for,—but that I could win some of the better things if I should gird myself for the battle?"

"Surely you could. What is there that you couldn't win, with health and strength and the will to win it?—nothing that is worth having."

The fervor of her own appeal carried Elsie out of herself, and, remembering only that the man before her needed help, she answered out of the depths of a compassion which was as profound and comprehensive as it was impersonal. She saw, as only a woman can see, the

besetments that were dragging Philip down into the quagmire of despair; and the passionate desire to rescue, speaking in her voice and eyes, gave Thorndyke his first glimpse of that sexless shrine hidden deep in the heart of all womanhood, upon whose altar burns the light of pity and compassion for all the world,—a light which is not divine only because it is human.

To the woman who first reveals herself to any man in her true character of ministering angel is given the power to bind and loose, and the opportunity which Elsie had unconsciously grasped had never been offered to Helen save at the moment of parting, when Philip's abruptness had forestalled it. It was inevitable, therefore, with Elsie's words ringing in his ears, and with the consciousness that he had been permitted to see the light of that sanctuary which is closed to all but the suffering and despairing, that Philip should be swept far beyond the bounds of his allegiance to Helen; and since he was a man, it was equally inevitable that he should be unable to dissociate the offer of help from the personality of the woman who tendered it. Raising himself among the pillows, he answered her with the fire of a new ambition beginning to quicken his pulses.

"I can win—or, if not, I can at least die in harness. If I try, will you help me in the heat of the battle as you have helped me just now? Think well before you answer; it's a graver responsibility to save life than to take it."

Elsie saw that she had raised the spirit of resistance, and her intuition warned her that she had also troubled the depths of an unknown and unfathomed pool, but she responded without hesitation.

"Didn't I promise, yesterday, that I would help you? We will all do that cheerfully and gladly."

"No, but that is not what I meant. You know what I mean, Elsie. Look at me. Will you be to me all the way through what you are just now, the one person in the world who knows my weakness and my need of inspiration,—who will hold up before me the crown of reward when I am down under the hoofs of the horses?"

There was no mistaking him now, and in a twinkling Elsie the priestess became Elsie the simple-hearted maiden, blushing painfully under the ruthless questioning of his eyes. What she might have said in reply Philip was not to know, for in the moment of embarrassed silence Mrs. Duncan called her to the kitchen. When she was gone, Philip was left to compound as best he might with the throng of merciless accusers rising up in the name of justice and honor to demand satisfaction. Through all the desperate assault he clung obstinately to the thought that he was fighting for his life.

"Do what you will and say what you will," he said to himself, when the battle with his aroused conscience raged the fiercest, "my life is my own, and I mean to live if I can. So far, I have been nothing better than a child in leading-strings, but from this day I shall live what is left of my life in my own way; and if this girl had to be raised up to help me, why, so much the worse for those whose opportunities were greater."

And with such reckless shifting of the responsibilities, Philip made

the first entry in the book of self-reliance, refusing to have his dinner brought to him, and insisting perversely on joining the family at table.

XI.

IN THE NAME OF THE LAW.

After dinner Duncan went in search of the old mountaineer, and Thorndyke shut himself in his room to finish the letter begun the previous evening. He went about it leisurely, placing the table in front of the open window and sitting where the sweet afternoon breeze might blow in his face as he wrote. Between the sentences he stopped often, weighing and turning the words until they fitted his purpose; which was to make this latest letter to his mother at one with those preceding it. This preserving of the unities proved to be less difficult than he had thought it would be. The new determination was but a suckling, as yet, and the turning of a fresh leaf in the book of resolutions is, in any event, only a beginning. Besides, one's mother is always the first to accept a show of frankness as a substitute for the real quality; and Mrs. Thorndyke would have found reasons for refusing to believe Philip if he had told her the plain truth.

The window in the attic bedroom looked out upon the stretch of yellow road leading to Allacoochee, and in one of the inter-sentence pauses Philip saw two horsemen ride over the crest of the spur which shut off the view of the lower valley. They halted among the trees on the hill-side, and one of them pointed to the farm-house, while the other took something from his pocket and went through the motions of a man drinking from a bottle. Philip watched them listlessly until, at the end of a full minute, his curiosity awoke to comment upon the phenomenal thirst of the man who still sat like an equestrian statue with arm bent and head thrown back. There was a field-glass hanging in its case on the wall, and when Philip took it down and focussed it upon the statuesque horseman the mystery speedily took another form. The man was not drinking; he was examining the house and the adjacent mountain through a glass not unlike the one in whose field Philip was observing him.

Thorndyke's first thought was of Kilgrow and his persecutors, but before he could form a plan for warning the old mountaineer the two horsemen rode down to the house, and he heard one of them ask Mrs. Duncan if the road led to Alta Springs, a village on the western slope of John's Mountain. Since the question appeared to explain the reconnaissance, Philip let his suspicions lapse, and straightway forgot the incident when the travellers had ridden on.

He had finished his letter, and was beginning to wonder if Duncan would succeed in finding Kilgrow, when he heard voices below, followed by stumbling footsteps on the stairs, and Duncan entered with the old mountaineer.

"This is auld Johnnie Keelgrow, Master Thorndyke," he said, presenting his companion with a perpendicular gesture which seemed

to call attention to Kilgrow's great height. "I just made free to fess him till yer ain room, whaur ye could hae it oot wi' him in private."

"That was right,—I'm glad to meet you, Mr. Kilgrow.—Sit down, both of you, and let me ask a few questions."

The mountaineer folded his thin length upon the edge of a chair, but Duncan stood irresolute. "I'm no sae ower rash, mysel', Master Thorndyke, as ye ken, but auld Johnnie here is mair captious than the canniest Scot o' them a'. D' ye think, now, he winna set foot in the house till he maks me promise to pit mysel' on guard on the door-stane!"

Duncan's dissatisfaction with any arrangement that excluded him from a share in the conference was very evident, but Thorndyke judged wisely that his client would be less embarrassed if the inquisitive Scot were out of the way, and he commended the precaution.

"It's well enough to be careful, Mr. Duncan; we're not likely to spoil our chances of success by being over-prudent."

"That's gude seasonable Scotch sense, d' ye ken that, Johnnie, man?" said Duncan, forgetting for the moment that he had been arguing on the other side of the question. "Ye maun just open yer min' freely to Master Thorndyke; he's an auld heid, if it does gang aboot on young shouthers."

Kilgrow nodded, and Thorndyke's heart warmed toward the old man when he was at leisure to read the story of privation and distress written so plainly on the thin face and in the restless eyes. It was some sense of the need for encouragement that prompted him to speak first in terms of assurance.

"Duncan has told me all about your case, Mr. Kilgrow, and I want you to believe me when I say that you're in no danger whatever of prosecution on the old charge of brandy-making. If you were arrested to-day I could clear you to-morrow. You shouldn't have run away in the beginning."

The old man resented the imputation upon his courage. "I reckon you-uns 'd run, too, 'ith th'ee 'r four of 'em a-poppin' at ye 'ith the'r rifles."

"Perhaps I should, after it got that far along; but I should have gone quietly with the officers at first and fought it out in court."

Kilgrow shook his head dubiously. "The law hain't fer a pore man, like me."

"That's just where you're mistaken; the law is for every one, and we couldn't do anything in the present case without it. But that's neither here nor there. What I want to impress on your mind is this: you are in no danger whatever from the United States authorities, but you are in danger from these fellows who have taken your land, and they will leave no stone unturned to make Alabama too hot to hold you."

"D' ye reckon not?"

"I know it; and before I take hold of your case, I want to know if you are willing to trust me fully in everything, doing exactly what I tell you, whether you understand the reason for it or not."

"I reckon I cayn't do no dif'rent, 'ith them fellers a-huntin' me all the time."

"Yes, you could; they'll give you plenty of chances to upset the whole thing before I'm through with them, and I want to be sure that you'll do nothing without first consulting me. Will you promise that?"

The old man held up a thin trembling hand. "You-uns is a lawyer; you-uns kin sw'ar me, ef so be ye likes."

"That's all right; I only want to be certain that you understand that point. Now, about the damages. How much do you think you ought to have?"

Kilgrow wrestled with the question and then looked up inquiringly. "I done tol' Jim Cates, oncet, that he mought tek that thar patch o' layn' an' welcome fer two thousand dollars. I hain't a-keerin' so ve'y much now ef them fellers 'd on'y quit pesterin' me, but ef so be ye mought git that much out'n hit——"

"That's about what I expected," interrupted Thorndyke, "and it's precisely what I wanted to guard against. Why, man, you could walk down to Allacoochee this minute and get twice that for a quit-claim for the mere asking! Set your figure at what you think you ought to have when I tell you that they're selling your land at five hundred dollars for a strip a foot wide and a hundred feet long."

The problem was too abstruse for the old mountaineer, and he shook his head helplessly.

"Very well, then; are you willing to leave the amount to me?"

"I reckon I cayn't do no better."

"Then we'll consider that settled. Now, one more question. Have you ever signed any papers for Cates or for any one else?"

"I reckon not."

Thorndyke was unfamiliar with the mountain idiom, and he pressed the question again. "I want you to think and be sure."

Once more the tremulous hand went up. "I 'low you-uns kin sw'ar me."

Philip smiled and said, "That isn't necessary. I suppose you'd be sure to remember it if you had?"

"I reckon so, long's I cayn't write none."

"That's all, then; and for the present, I merely want you to keep out of their way. Have nothing to say to strangers, and don't pay any attention to any messages from me or from any one else unless Duncan or Elsie brings them to you. Does anybody besides the Duncans know about your place up there in the Pocket?"

"I reckon they's mighty few."

"So much the better. Go back there and stay quietly until you hear from me. It may take me a month, or even longer, to find out what I want to know in Allacoochee."

Kilgrow understood that he was dismissed, but he hesitated, laboring with a statement that he did not know how to make. Thorndyke tried to help him. "Was there anything else?" he asked.

"Seem' like thar ort to be; 'bout you-uns' pay—I hain't got nothin' on the face o' the yeth——"

"Never mind about that; if we win there'll be money enough for both of us."

Kilgrow went dumb again, trying to find words to measure his gratitude. Before they came there was a clattering of hoofs in the road, and then crunching footsteps on the gravelled walk leading up to the house. There was a dormer window in Thorndyke's room, and its gable projected above the front door of the farm-house. The sash was up, and the sounds from below came sharply to the two men in the upper room.

"I've got a warrant for John Kilgrow,"—Philip recognized the voice as that of the man who had asked the way of Mrs. Duncan,—
"and I'll have to trouble ye, Mr. Duncan."

At the mention of his name the old mountaineer started and would have thrown himself out of the other window if Thorndyke had not promptly seized him. "Don't be afraid—they can't touch you. Sit down and listen."

"An' who's this John Keelgrow that ye're speerin' after in my house? There's naebody wi' that name bides here."

"I know all 'bout that, and I know, too, that this same John Kilgrow's in this yere house now. I don't want to make no trouble for ye, but I reckon ye know what-all it means when the law says for ye to come down."

"Show me yer warrant."

"That's for Kilgrow."

"Wha kens that? Ye'll no gang in this door till ye show me the bit paper."

"Mr. Duncan, I'm a dep'ty United States ma'shal: I reckon ye'd better stand to one side and lemme do my duty."

"Deputy or no deputy, ye'll no win intil this house forby the askin' or a weel-drawn search-warrant"—there was the sound of an opening door—"Elsie, bairn, fess me the auld rifle."

The pawing of the horses at the gate filled the silence until the door closed and Duncan spoke again: "Noo, then, ye limmers, I gie ye baith fair warnin'. I'm on my ain door-stane, an' ye'll show yer warrant or come on at yer ain peril."

Thorndyke peeped between the slats of the closed shutters, and saw the two men fall back a few steps to hold a council of war. While they were talking, another horseman came in sight at the top of the hill, and a moment later Protheroe rode up to the gate and dismounted. He nodded to the intruders as he passed them, and Thorndyke was surprised to see them hurry to their horses and ride away toward Allacoochee. The hasty retreat was explained when Protheroe came up the walk.

"Good-evening, Mr. Duncan. Are you out gunning for our friends?"

"Na, na, then," said Duncan, in tones of expostulation; "ye'd no be eemplicatin' auld Jamie Duncan for resistin' the officers o' the law, would ye, Robbie?"

"What officers? those fellows? They're no more officers than you are. What were they trying to do?"

Duncan took the engineer into the house, and his reply was lost to

the listeners in the room above. Thorndyke turned to the old mountaineer. "You see now, Mr. Kilgrow, what these men will do. Your safety lies in keeping out of their reach. Come with me, and I'll let you out the back way."

When Kilgrow had gone, Thorndyke went down to the sitting-room, but neither there, nor afterwards at supper, did Duncan or Protheroe refer to the unwelcome visitors; and Thorndyke knew that the wary Scot had succeeded in satisfying Protheroe's curiosity without implicating Kilgrow.

The young engineer brought letters for Philip, one of which was reserved to be read in the privacy of the attic bedroom. It was from Helen, and Philip's conscience bit him when he tore it open. Then he smiled at his misgivings as he read through the closely-written pages.

"The Mortons were here to dinner last night," she wrote, "and they wanted to know all about you; where you were and what you were doing. You know best how little we could tell them, but they thought it so odd that you should prefer the wilds of Alabama in summer to Lenox or Newport. They have taken a cottage just below us for the season, and Derrick Morton has brought his yacht around from Mount Desert—I *won't* say Bar Harbor. That is gossip of the time and place, and I could fill pages with it, but I suppose you care for none of these things now. And, really, I don't know just what you do care for; you seem farther away in Alabama than you would if you were in Europe; but I fancy that is because we are so utterly unfamiliar with your present surroundings.

"One thing I must tell you, however. A few of us here—Derrick Morton, the Van Ruyter girls, Arthur Haxtell and his brother Tom, Dorothy and John Berkeley, and one more—have undertaken to redeem the frivolities of our corner of Newport by forming a reading circle. We read none but new authors, and then we pick them to pieces with a refinement of criticism that would humble the most conceited beginner if he could only hear us. I think it's a pity that some of them can't; don't you? I wish you could be here to help us. I believe you would make a distressingly acute inquisitor, and the fact that you once tried your hand at authorship would lend a peculiar zest to your censure, if it be true that the best critics are the unsuccessful writers. Apropos, what ever became of your much-rejected manuscript? I should like to submit it as the effort of one of the submerged.

"I suppose you have no present thought of coming back to civilization. From what you say in your letters I infer that you are enjoying yourself, after some primitive fashion, and, better than all else, that your health is improving. Because I believe the latter, I can continue to spare you while the need exists; and since the separation has to be, it is better that we should bear it contentedly. I should be sorry to have the good effect of Dr. Perevin's prescription marred by any repinings of mine, and so long as you feel that the out-of-door life is helping you, I hope you will not let any strained sense of your duty to your mother or to me make you abridge it. We shall get along

famously without our *preux chevalier*, and you are not to suppose that we are obliged to go about uncared-for because you happen to be buried in the forests of Alabama.

"Write often, if you feel like it, but don't let it become a bore. There is nothing more dreadful than having to write to some one when you want to do something else.

"Affectionately, as always,

"HELEN.

"P.S.—I have been invited to join a party on Derrick Morton's yacht, and if you don't hear from me again for two or three weeks, you'll know I have accepted and that post-offices are not to be had for the asking."

Philip put the letter down with a smile that was more than half a sneer. When one sets out to make himself the advocate of an unworthy cause, mental short-sightedness stands ready to distort and confuse the judgment; and in the case of a letter, the dispassionate formalism of written language lends itself easily to inferential misconstruction.

"How could I ever have fancied that she had any warmth or depth apart from the intellectual side of her character?" he asked himself. "I'm sure I don't know, any more than I know why I always took it for granted that we were divinely appointed to be the component parts of that mysterious creation which the marriage service declares to be one person, but which all experience says is still more than ever two. Could Elsie Duncan write such a letter as that to the man she loves? Would she turn neat phrases and—— Bah! the comparison is absurd! And yet, on the other hand, it isn't fair to blame Helen because I don't happen to be the one man in the universe who is capable of calling out the best there is in her; and I don't blame her. She may find the right man yet; it's barely possible this cruise in Morton's yacht will turn out to be more nearly a divine appointment than an agreement made by our fathers while we were in swaddling-clothes."

Thus Philip, in a plausible attempt to justify himself. How should he know that the cool and dispassionate letter was only a part and parcel of the hard task Helen had set herself in the beginning? How was he to guess that she had steadily resolved from the first to say nothing that would tempt him to turn back to his hurt? By what inner prescience should he have been enabled to read between the lines the passionate yearning that was so resolutely effaced in the written words? As he stood at his window looking out into the calm stillness of the moonlit night, what good angel was there to tell him that at another window in far-off New England the writer of that letter knelt with wet eyes, beseeching the Merciful One to protect and preserve the absent lover? There was none; nor was there any inward monitor to hint that propinquity, the charm of an innocent face, and a simple outpouring of womanly sympathy had united with his own moral and physical weakness to turn him aside from the plain way of rectitude and honor.

XII.

PRELIMINARIES.

Two days later, Philip was once more established at the Hotel Johannisberg, with the bustle and stress of the new city already beginning to efface the memory of the quiet days spent at the Duncan farm. The changes wrought in the few weeks were almost incredible. The encroaching flood of buildings had spread out over the vacant spaces; new structures of preposterous height and bulk reared themselves in localities where Philip remembered seeing the green grass of the meadow or the stubble of last year's cornfield. The streets were in the chaotic condition which precedes the laying of pavements; the gas and water companies rivalling each other in making the roadway impassable during the hurried trenching for pipes and conduits. The daily auction-sales of real estate continued, but they had been driven from the busy business centre, and Mr. Fench's rostrum appeared only in the suburbs of Cheltenham Heights, Arlington Terrace, or Chiwassee-by-the-Stream.

Notwithstanding the pressure of a speculative atmosphere which might well have turned a more steadfast man aside, Philip held steadily to the purpose which had taken him back to town. He examined the records in the old court-house, and found that a deed in Kilgrow's name had been duly entered with that drawn by Cates, and the only suspicious circumstance was that both documents had been recorded on the same day. In the light of Kilgrow's denial, the appearance on the record of the older deed established the fact of forgery on the part of some one; and while the presumption of guilt pointed toward Cates, the anonymous letter to Duncan fortunately saved Philip from being led astray at the outset.

Assuming that the deeds themselves were in the hands of the manager, Philip called upon Fench in the character of a possible purchaser of real estate.

"Yes, yes; I remember you,—came up on the train with you. Thought you'd come around after you'd seen what we're doing." Mr. Fench was amiably voluble, and it was some time before Philip could find space to drive in the wedge of rejoinder. "Of course; glad to show you anything we've got. Inside or outside property, Mr. Thorndyke?"

"Inside, I think," Philip replied, examining the map spread out on Fench's desk; "about there, I should say"—placing his finger on two vacant lots well within the limits of the Cates tract.

"Ha! best location in the city,—absolutely gilt-edge. I guess you know a good thing when you see it, eh, Mr. Thorndyke?"

Philip bowed his acknowledgments and asked the price.

"Sixteen thousand apiece; and that's cheap."

"A month ago I should have laughed at you, Mr. Fench; now, I shall only say that I think you're a little ahead of the market."

Whereupon the manager leaned back, threw one leg over the arm of his chair, and proceeded to demonstrate by an argument in which volubility outran itself that the price asked was conservative rather

than speculative; that Messrs. This and That, of Cincinnati, and Senator The Other, of Michigan, owners of the property on either side of the lots in question, had refused fabulous offers for their holdings,—and much more to the same effect, punctuated and emphasized by Mr. Fench's right forefinger laid impressively in the palm of his left hand.

The visitor listened patiently, and for once in his life—having a definite object in view—forgot to be bored. When the manager ran out of breath, Philip said, "I still think your figure is too high, but we can talk of that later; I shall want a little time for investigation and for an examination of the title."

He was watching his antagonist to mark the first sign of discomposure. It came at the word title. Fench suddenly lost interest, and the self-assertive leg slid limply down from the arm of the chair.

"Yes, yes,—of course; you'll want to know about these things, and I'd like to hold the bargain for you, but I can't. Our people won't let me block the market, not even when it's to their interest to do it."

Philip saw his advantage and pushed it. "I can see the justice of such a rule, and I'll not ask you to make an exception in my case. I presume you can satisfy me as to the soundness of the title: of course you have an abstract?"

Fench bounded from his chair with something that sounded very like an oath. "Excuse me, Mr. Thorndyke, I've got an engagement at the bank, and I'll have to turn you over to Mr. Sharpless, our attorney. He'll give you all the points on the—the title, and so forth. Just come with me, and I'll introduce you."

"One moment, if you please," interposed Philip. "If we're to do business together it's only fair that you should know something about me. If you'll write or telegraph to Colonel A. M. Van Cott, Temple Court, New York, he will have my banker wire you."

"Quite unnecessary, I assure you," objected the manager, who none the less made a hasty note of the address. "And you'll excuse my hurry, won't you?"—pushing Philip toward the door of the inner office. "I had plum forgot my appointment, as our Alabama friends would say.—Mr. Sharpless, make you acquainted with Mr. Thorndyke. He wants to talk title with you on Lots 13 and 14, Block 18."

For once in a way, Philip regretted that he could not observe two men at the same instant. He was sure that the manager would try to put the lawyer on his guard, but Sharpless's impassive face was blandly inscrutable as he rose and held out his hand. From the fact that he was immediately given a high-backed chair facing the light of the window, which made an expressionless silhouette of the lawyer, Philip argued that the sign had been passed and understood; and the suspicion was confirmed by the first question he was called upon to answer.

"What makes you think that our title isn't perfect, Mr. Thorndyke?"

"I beg your pardon; I had raised no such question. It is merely a matter of prudence in a transaction involving so much money that one should be well assured of his title."

"That is very true. The lots you have picked out are in a tract

formerly known as the Cates farm ; you can read the whole history of the tract in the records at the court-house."

"Quite possibly ; but one may have neither the time nor the inclination. A glance at your abstract would be quite sufficient for my purpose."

Sharpless swung back in his chair and slipped his hands into his pockets. "I wish I could oblige you," he said, "but I infer you've had little to do with property in Alabama. Such a thing as an abstract of title is almost unknown among people who can neither write their deeds nor read them after they are written. I began just as you have, and was glad enough, in the end, to fall back on the records."

Thorndyke knew this was an answer that Sharpless would never have made to another lawyer, since an abstract is nothing more than a circumstantial history of any given piece of property compiled from the records ; but he was too shrewd to betray his profession, and he made no comment.

"I suppose you were able to satisfy yourself that your titles were all right?"

"Absolutely ; we guarantee to defend our purchasers."

"Will you allow me to look at your deeds for the tract in question?"

"I should be glad to, but I can't do that, either. All the original documents are on file in the company's office in New York."

Philip was beaten for a moment, but he rallied immediately. "Will you authorize my solicitor to examine them?"

Sharpless lost his head at that, and Thorndyke gained his point. "Certainly not ; such a proceeding would be unheard of. Our secretary would promptly refer the gentleman to me."

Philip rose and bowed courteously. "I'm sorry we can't arrive at an understanding ; I should like to have those lots."

"But, my dear sir,"—Sharpless had quite recovered his self-control and was industriously cursing himself for having made the slip,— "can't you see how unreasonable you are? Don't you suppose that among our hundreds of customers there are men who are quite as careful of their rights as you can be of yours?"

"And none of them have seen these deeds?"

"Not a man of them, I assure you. Go to any of them, and you'll find that they've taken our guarantee in perfect good faith."

"To whom would you refer me?"

"To any one ; to the president of the Chiwassee National Bank, if you please."

"Very well ; I'll think the matter over and see you again. Good-morning."

When Thorndyke left the office he began to fear that the earlier deed, upon the discovery of which the very life of his case would depend, had been destroyed, and there was small comfort in the reflection that there was no apparent reason for the disappearance of both of them. That from Cates to the town company was undoubtedly genuine, and he could not understand why it, too, should be missing. He felt keenly the need of an adviser, but in a city where the interest of every

other responsible person might be against him, he was afraid to trust any one. To be sure, there were Protheroe and Duncan ; but the first was in the service of the town company, and the Scotchman had already emptied himself of whatever suggestive material there was in him. Philip expected nothing further in the way of information from Fench or Sharpless, but, none the less, he sent a message to Colonel Van Cott, asking him to give prompt attention to any inquiry from Allacoochee, suppressing only the fact of the sender's profession.

When that was done, Philip found himself once more among the uncertainties, but he made another journey to the court-house for the purpose of copying the missing documents from the records. For two days he pored over these copies in his room at the hotel, searching with infinite patience for some clue that would point the way out of the tangle. A copy of a copy proved to be barren of suggestion, but he made a memorandum of the attesting notary's name, and on the third day he paid a visit to Squire Pragmore.

Nothing came of it, however. The notary's replies grew more indefinite as the inquiry progressed. His memory was at fault ; he had acknowledged so many papers for the town company that he could not be expected to recollect the details of any one transaction. Thorndyke called attention to the fact that the older deed antedated by several years the beginning of the rush of business brought by the transfers of the town company ; whereupon Pragmore took another tack. It was too long ago ; he had doubtless acknowledged Kilgrow's signature, but he could remember none of the circumstances.

Thorndyke was baffled again, but another clue came to the surface when he reached the hotel and found a note from Sharpless asking him to call at the company's office. He went, was received with a cordiality born of the favorable answer to the telegram sent by Fench to Colonel Van Cott, and was shown the missing deeds with an air of reproachful frankness that almost disarmed him.

"Since you made a point of it, I wired our secretary to send them down," Sharpless explained ; and as Philip read them he thought he could never be sufficiently grateful for the impulse that had led him to make the copies from the records. In poring over them he had well-nigh committed them to memory, and a single reading of the pretended originals convinced him that these were recent forgeries. The notary's attestation was genuine,—a fact that at once implicated Pragmore,—and if any further damnable proof had been needed, it was supplied by a single circumstance in the acknowledgment. Pragmore had used a rubber stamp with a dotted line for his signature and the words "Notary Public" beneath it, and the gummy ink of the stamp was still fresh enough to be blurred by the thumb of the reader.

Philip read the papers leisurely a second time and handed them back to the attorney.

"I'm sorry you went to so much trouble," he said. "I had given up the idea of buying inside, and have been thinking more particularly of trying something in the residence district."

Sharpless met him half-way, and Philip thought he surprised a fleeting expression of relief on the shrewd face of the lawyer. "That's

a sensible change. Between us, and leaving Mr. Fench out of the question, I believe there's more money to be made in Cheltenham Heights than on Broadway. I've scattered my own little bit of capital around on the edges."

Philip got away as soon as he could decently, and went back to his room to piece together the deductions which might fairly be drawn from the interview. The first point made clear was the undoubted guilt of the conspirators; if they had committed forgery for the purpose of imposing on a single customer, it was reasonable to conclude that they had not hesitated when the necessity was far more urgent. Another deduction was of even greater importance. Fench and Sharpless had a confederate in Pragmore, and here was a vulnerable point. If the notary set a price upon his silence, he might also be induced to speak, if it were made sufficiently profitable for him to do so. A third inference was that the original forgery and the deed from Cates had disappeared; otherwise the conspirators would not have been at the trouble of fabricating new ones.

Philip sat up late that night, studying the problem and trying to determine what he should do next, but his perseverance was rewarded only by the turning of one more conjecture into a certainty. The note which had called him to the attorney's office was in typewriting, and a comparison of its mechanical inaccuracies with those in the anonymous letter to Duncan proved that both were written on the same machine.

XIII.

LOSS AND GAIN.

It was early in July when Philip began the campaign of restoration. He made up his mind in the beginning that it was to be a race with death, and, believing this, he did not spare himself, though the heat during the weeks that followed was terrific. It was a dry summer, and in a drought the climate of the Chiwassee Valley is, to say the least, something less than invigorating. For the first fortnight Philip went about with the feeling that the next day would finish him. Then, as the barriers hedging him in on the side toward accomplishment grew into respectable mountains of difficulty, a winged spirit of energy, which was, perhaps, only an unused heritage from his hard-working father, began to possess him, breaking the bonds of habit and lifting him out of the rut of introspection. One morning he forgot to count his pulse, and the daily analysis of his symptoms was omitted for the first time in weeks; and that night he slept with open windows, through which the cool breeze from the mountain blew across the bed, and no harm came of it. He was too busy to think much about his infirmity at the time, but a week later he stepped upon the patent weighing-machine in the rotunda of the Johannisberg, and when the pointer failed to record the usual decrease he went to his room and dropped the half-used bottle of hypophosphites into the grate. That was the turning of the tide, and by the time his fellow-migrants in the exotic city were beginning to wilt under the fervid summer sun,

Philip was growing stronger in body and saner in mind ; finding a certain tonic in a series of defeats which were sharp enough to stimulate without being heavy enough to crush.

And while he wrestled with the difficulties of the legal problem, the fire burned within him, consuming some rubbish and shedding new light into the dusky corners of the soul-chamber hitherto obscured by the shadows of ill health and morbidness. The light was not altogether welcome, though it materially lessened the distance between the ostensible Philip and Philip the real. For one thing, it belittled the motive which was responsible for his work. Allowing the promptings of common humanity their full weight, the fact remained that his enthusiasm had for its starting-point a desire to win the approval of Elsie Duncan. That was the new ideal, and his saner thought told him that it was wretchedly inadequate ; that it sprang from impulse and was degraded in the hour of its birth by unfaith. Unworthy as it was, it was still an ideal, and Philip lashed himself into a small fury of self-contempt when he discovered that it was no longer the motive for his exertions ; that Elsie's approbation and Kilgrow's wrongs were secondary considerations in comparison with the strenuous urgings of a newly aroused ambition spurring him on to wring victory out of defeat for victory's sake.

He kept his room at Duncan's and rode often up the valley, both for the sake of the intimacy which the nature of his quest made impossible elsewhere, and because he honestly wanted to be true to the new ideal ; and he went oftener and stayed longer when he began to feel the ground slipping from under him in the small matter of sentiment. He said rather bitterly that he must be true to something ; that he should lose what little self-respect his fickle precipitancy had left him if he suffered himself to swerve from the plain path he had chosen in the day of illness.

For some of the doubts and much of the dissatisfaction, Elsie was herself answerable. She was frank without being confidential ; she was affectionate and sympathetic, but she never gave him an opportunity to add a word to those already spoken. She rejoiced frankly in his stubborn perseverance in the Kilgrow affair, and she was openly thankful when the tide of ill health began to ebb ; but beyond all this, Philip felt that there was a barrier which he had never been permitted to pass. He told himself that it was maidenly modesty,—a nice refinement of womanly delicacy which defended her from the ambiguity of his impulsive declaration ; and in this belief he went about, seeking the opportunity for plainer speech which chance or something else persistently denied him. Sometimes it was Elsie's mood ; oftener it was the presence of a third person,—either Duncan or his wife, or Protheroe. After such bafflements Philip scourged himself dutifully, heaping abuse on his own head for not overriding such trivial obstacles. He insisted that he owed it to himself no less than to Elsie that there should be a clear understanding between them ; driven into words, the thought would have been that he would be surer of himself when there was no possibility of retreat.

Without doubt, and in the face of much matter for thankfulness,

Philip was neither good enough nor bad enough to be wholly comfortable. Like most compromises, the compounding with one's conscience leaves the main question still unsettled; and as to benefits, it was to the giver and not to the receiver that the blessing was promised. It is true that Philip had found an employment that called out the best there was in him, and that in the battle he had somehow stumbled into the path that led away from sickness and despondency; but at times he was tormented by the thought that he had paid too dearly for ambition and better health. It was as if he had sold himself for an extension of life and the wherewithal to make it worth the having.

Two grains of comfort he had managed to sift out of the summer's chaff. One was that Helen's sisterly letters added no fuel to the fires of conscience; and the other was the news that the bank in which the Thorndyke money was invested was in difficulties. He smiled at the thought that he was able to extract comfort from this, but so it was; the threat of disaster made him throw himself with redoubled ardor into the case in equity. It might easily happen that his attorney's fee would be all that was left him when the day of reckoning came, and under the spur of this premonition he took counsel of zeal and taxed his resources yet more persistently.

And in the matter of resources Philip had developed a creditable measure of that ingenuity which is usually but not always the handmaiden of experience. He had attempted through various channels to make overtures to Pragmore. He had tried to trace Cates and his convenient witness. He had ransacked the old town, ferreting out every one who could give him the slightest information about Cates or Kilgrow, the tenantry of the farm, the raid of the revenue officers, and such other scraps of local history as might have a bearing on the case. He had ridden for days on the mountain in a hopeless attempt to find witnesses who could certify that Kilgrow had not been in Allacoochee on the 20th of May, 1885. And when all these expedients had been pushed to fruitless conclusions, he had secured the services of a New York detective, who, after three weeks of painstaking investigation, threw up the case in disgust and went back to the metropolis.

The forests on Jubal Mountain were beginning to hoist the ensign of autumn when the professional thief-taker boarded the train for New York, and Thorndyke was already sifting his brain for fresh suggestions when the laconic wires, supplemented by the tardier but more explicit mail, brought news of the failure of Hallam's bank. It was an assignment, and—so wrote Mrs. Thorndyke, hopefully—the published assets were much in excess of the liabilities; but a letter from Colonel Van Cott went nearer the truth. When the affairs of the bank should be settled, said the solicitor, there would be money enough to satisfy the depositors and other creditors, with possibly a small dividend for the stockholders. As to the latter, however, the colonel intimated that Philip would do well to leave it out of his plans for the future; in the mean time, and for present necessities, there were a few hundred dollars which he, the colonel, had taken the liberty to transfer from Hallam's to his own bank out of the last semi-annual dividend, which sum was subject to Philip's order.

The same mail brought a letter from Helen. The securities which had been set aside for her marriage portion were still safe, and her letter from beginning to end was an urgent appeal to Philip to divert the settlement to his mother. Blinded by the dull rage which lashes out indiscriminately because its real object is out of reach, Philip was in no mood to search for affectionate subtleties in a letter which should have stirred his better nature to its most hopeful depths. He read it with unreasoning bitterness; wrote a formal reply, thanking her for her disinterestedness, and asking to be released from an engagement which, in view of his losses, was no longer supportable to him; scribbled a hurried note to his mother, giving her the barest outline of what he had done; and, ordering his horse, galloped off to the Duncan farm to tell Elsie of the new misfortune.

He got speech with her alone, for a wonder, and she listened and answered with ready sympathy, concluding by asking him what he would do.

"For the present, and until I can get justice for Kilgrow, just what I've been doing all summer. After that, it will be for you to say."

"I don't understand," she said, shrinking a little from the half-menace in his reply.

Philip was disposed to be perverse, and the thought came to him quickly that Helen could not be so obtuse if she tried. "You ought to know by this time," he began, his resentment finding its way into his voice. "I'll not say it, though; I'll not say anything now, because I'm in no frame of mind to measure words with you or with anybody. Just the same, you mustn't begin at this late day to try to elude the fact that you are responsible for what I am."

It was a brutal speech, and Thorndyke was sorry for it when the ride back to town gave him time to reflect; but he had gone to Elsie with the thought that she would in some way make haste to set herself over against his troubles, and he was disappointed and irritated because she had given him nothing more than the sympathy which she might have poured into the wounds of a father or a brother. Now that the wheels of the retrospective machinery were set in motion, Philip told himself that Elsie's ardor had been steadily waning since that day, three months before, when she had armed and sent him forth to the battle. It was impossible that he should understand that the change in their relations was inevitable; that the candle which may suffice to light the fires of enthusiasm is still a candle after enthusiasm has become a devouring conflagration. Still less could he grasp the fact that the change was chiefly in himself; that with new ambitions and returning health he had outgrown the need for such ministrations as may save the life of a sick man. On the contrary, he blamed Elsie for not being what she had never been, save in his own imagination; he condemned Helen for withholding the affection which his letters to her had steadily discouraged; and he ended by throwing himself with a keener desperation than ever before into the quest which had become the imperative motive of his existence.

Dismounting at the steps of the hotel, he met Protheroe.

"Have you seen Sharpless?" the engineer asked.

"No."

"He's looking for you; I believe he left a note inside."

"What does he want?"

"I don't know. He had his judicial scowl on, which is a polite way of saying that he looked ugly."

Philip intimated that Lawyer Sharpless's moods and tempers were of the least possible consequence.

"I know," Protheroe said. "He's one of my employers, but that's no reason why I shouldn't tell you to look out for him. I've known him ever since the incubation of this tinsel city, and he's a bad lot. I don't pretend to guess at what you've been working on all summer, but if your scheme includes Sharpless, either as a partner or a competitor, he'll bear watching,—and not less in one case than the other."

"Thank you," said Philip, going in to get the note. It was brief and peremptory:

"DEAR SIR,"—it ran,—“You will consult your own interests by conferring with me at once. Come to my office, or let me know when and where I can meet you.

“H. G. SHARPLESS.”

Thorndyke put the note into his pocket and went out to think about it. He had been reasonably certain for some time that Fench and Sharpless were quite well informed as to his movements and their object, and he had been expecting some attempt at bribery or intimidation. That it had not come sooner, he attributed to their knowledge of his lack of evidence. "They know well enough that I have no case," he said, turning out of the busy street and walking aimlessly toward the old town. "And, yet, that reason is as good now as it ever was. Curse his impudence! He knows I can't get hold of a shred of proof, and he means to bully me. If I could only find that deed!"

He left the sidewalk and picked his way around a heap of obstructions left by the builders in front of the new court-house. Chilmath County, augmented by the thriving city, had voted to abandon the weather-worn building in the old town, and a new court-house, imposing in pressed brick and stucco trimmings, had risen rapidly upon the square of land, well within the limits of the new Allacoochee, which had been donated by the town company. It was characteristic of the time and place that the county officers were moving into the new building while the painters and decorators were still at work, and Philip crossed the street to get out of the way of a van-load of furniture which the driver was vainly attempting to back over the pile of debris in front of the entrance. Farther down the street, Philip met another load, and at the foot of the cascade of steps flowing down from the porch of the old court-house he found a third van into which a gang of negro workmen were loading the furniture of Judge Wilkinson's office.

During many of the days spent in canvassing the old town for possible clues, Philip had haunted the court-house; and more from force of habit than for any better reason he climbed the steps and

strolled into the room which had been the office of the judge of probate. The place was bare and vacant; the counter where he had so often pored over the books of record was gone; and the floor was covered with a litter of waste paper which rustled under his feet like the autumn leaves in a forest. When he entered, the negroes were moving an ancient case of pigeon-holes from its place against the wall, and Philip smiled at the prompt celerity with which they put it down at the sound of the noon whistles. Before the echoes of the blasts had died away they were all gone save one, a grizzled uncle who had brought his dinner, and who sat down on the floor in a corner of the room to eat it.

Philip gazed abstractedly at the heavy piece of furniture, which was all that remained of the office fittings, until he suddenly remembered that it had been the receptacle for recorded deeds; then it occurred to him that here was the last traceable point in the history of the missing document. Each pigeon-hole contained a drawer upon which was painted a letter of the alphabet, and Philip mechanically drew out the one marked "K." It was empty, as he knew it would be, and, pushing it back, he left the room and the building. At the foot of the steps the old negro overtook him.

"Yaas sah, please sah, you-all done drap dishyer when you's lookin' in dat ol' chist."

Philip glanced carelessly at the folded paper in the man's hand, and was about to deny his ownership, when his eye caught the name "Kilgrow" on the back of one of the folds. He took the paper with what nonchalance he could muster, gave the old negro a quarter, and did not dare to look at the thing until he had put a hundred yards of the forest on John's Mountain between himself and the possibility of prying eyes. Then he examined the square of grimy paper with a singing in his ears and the blood jumping from heart to brain. There was no room for doubt or uncertainty; he held in his hands the forged deed. The document which had so long eluded him had come to him at last by the merest accident; and if anything were needed to make the triumph complete, it was added by the discovery that the written text of the deed was in the unmistakable handwriting of Mr. Jenkins Fench. That was enough; but there was another and still more conclusive evidence of the forgery. The stationers' imprint in the corner of the blank fixed its making five years later than the certified date of the document itself.

XIV.

DRAWING THE SWORD.

When the first burst of exultant excitement had spent itself, Thorn-dyke sat down upon a flat-topped stone and mapped out a plan of attack. He would begin on Pragmore, terrifying the old notary into submission and confession by a sight of the forgery which he had made possible. Then he would push Fench and Sharpless to the wall by instituting proceedings against them in both the civil and the criminal courts. He would apply for an injunction restraining them from disposing of

any of the property in dispute. He would stop the wheels of business and seal up the fountain of Allacoochee's prosperity until Kilgrow's rights were recognized. He would show these unscrupulous robbers that though justice might be blind, she never sleeps.

This was the outline of the temerarious plan which ingeniously combined all the elements of defeat and failure. The impetuous zeal which had carried Thorndyke triumphantly over the discouragements of the long search for evidence became at once a source of weakness and a stumbling-block in the way to final success; and he was never less a match for the crafty and conscienceless corporation attorney than at the moment when he believed that victory was to be had for the taking.

Not to give sober second thought a chance to counsel better things, he pocketed the forged deed and went straight to the dingy little office next door to Catron's store. The old notary was sitting at his desk, and the lines of reticence in his sallow face deepened into wrinkles when he looked up and saw who had opened the door. Thorndyke wasted no time in introductory phrases.

"Two or three months ago, Mr. Pragmore, I asked you some questions about a deed purporting to have been given by John Kilgrow to James Cates. The record shows that you attested it, but you denied any recollection of the circumstances. Will you tell me now that you did not antedate your certificate six years or more? that you did not acknowledge the signature of a man whom you believed to be dead?"

Pragmore stiffened himself in his chair and made no sign, though he had to moisten his thin lips to say, "You cayn't prove anything."

The sullen defiance overdrew whatever account of prudence the discovery of the deed had left Thorndyke. Leaning over the desk, he held the paper outspread before the eyes of the old man. "Do you pretend to say that this is not your signature? Will you tell me that you don't know Fench's handwriting when you see it? Did the printers make a mistake of five years when they put their imprint on this blank?"

The mask of inscrutability slipped aside for a moment, and Pragmore's face became gray and furred with terror. Then he relapsed into sullenness again, but there was an angry snarl in his voice when he spoke.

"I don't know nothin' about it, n'r what-all ye're aimin' at, but I'll tell ye, first an' last, ye cayn't bulldoze me. This here's my office, an' since ye found the way in, I reckon ye can find the way out."

Philip started off in a white heat of wrath. Half-way to the door he turned on Pragmore.

"I came down here to give you one more chance to save yourself," he said; "you don't deserve any more consideration than any common criminal, but you're an old man and you've let these fellows make a tool of you. Once for all, will you turn State's evidence? or shall I send the sheriff after you?"

There was a rasping noise, as of a hastily opened drawer, and the old man sprang to his feet and levelled a revolver at Thorndyke. His eyes blazed, and his voice quavered with excitement.

"By the 'Mighty! if ye don't get out o' here——"

Philip stood his ground long enough to show his contempt for the argument of force; then he turned his back on the angry man and ran up the street to catch an electric car for the new court-house. As soon as he could find a magistrate, he swore out a warrant for Pragmore's arrest and went himself with the deputy who was to serve it. As a matter of course, they found the office locked and empty; and, leaving the officer to continue the search for the notary, Philip went back to the Johannisberg to prepare the papers in the suit against the town company. The constable had promised to report in the course of the afternoon, and when evening came without any word from him, Philip resolved to go to the jail to see if Pragmore had been caught. With the heedlessness which goes hand in hand with triumphant perseverance, he left the forged deed, together with the unfinished papers, on the writing-table in his room at the hotel; and, picking his way through the obstructed streets, he was soon in the neighborhood of the court-house. Under the branches of a water-oak, at a point where the light from the electric lamps at the crossings made a garish twilight, he stumbled over the body of a man lying across the sidewalk. Before he could recover himself, he was promptly garroted, thrown down, and held by two footpads while a third rifled his pockets. The assault was well planned and deftly executed, and when his assailants had left him, Thorndyke was astonished to find that they had taken none of his valuables. Then it came to him like a sudden stroke of illness that their object had been to secure the forged deed, and he grew cold with dismay when he remembered where he had left it. The next moment he was racing madly toward the hotel, stumbling and falling over heaps of building-material and paving-stones, and colliding blindly with chance pedestrians who happened to get in his way.

He breathed freely again when he reached his room and found that the papers were undisturbed, but the disquieting experience taught him the lesson of prudence which he might otherwise have gone wanting. Buttoning the papers into an inside pocket of his coat, he went out again, taking care to keep in the well-lighted and frequented streets until he reached a hardware store where he could buy a revolver. With the weapon in his pocket he felt safer; and, leaving Broadway, he once more turned his steps toward the jail. Pragmore had not been found; and, after assuring himself that a description of the missing notary had been telegraphed to the neighboring towns on the railway, Thorndyke went back to the hotel. Approaching the building by a walk through the grounds which led him beneath the windows of his own room in one of the southern gables, he was surprised to see them brilliantly lighted; and, bolting up the stairway at the end of the corridor, he was barely in time to save the Johannisberg from destruction. In his absence the room had been thoroughly and ruthlessly ransacked, and one of the gas-jets—whether by accident or design he never knew—had been swung around against the mosquito-netting, which was blazing and dropping a shower of small firebrands upon the white counterpane beneath it.

When he had put out the fire and gathered up his scattered belong-

ings, Philip began to have a juster appreciation of the desperate character of the men with whom he had to deal, and he determined to take no more risks. After having his room changed, he telephoned to the stable for his horse and rode out to the Duncan farm, sleeping that night in the attic bedroom with the forged deed under his pillow.

XV.

ON THE MOUNTAIN.

The level rays of the morning sun were shooting across the eastern spur of John's Mountain, pouring a noiseless volley of radiance against the opposite cliffs of the Bull, and bridging the valley of the Little Chiwassee with bands of yellow light that made the shadows blue and cool by comparison. Up among the topmost twigs of the trees the breeze whispered steadily, with a sound like the patter of gentle rain; but in the depths of the forest, where the path from Duncan's to the plateau wound upward through the tangled undergrowth, the air was still and resonant, giving back sharply the snarl of the gravel and the rustle of dry leaves under the feet of the two men who climbed slowly toward the mountain-top. Notwithstanding the approach of autumn and the youth of the day, the heat was great enough to make the steep ascent laborious and exhausting; and Thorndyke stopped at the base of the upper tier of cliffs while Duncan went down on his hands and knees to drink from a spring bubbling clear and cold from the shelf of sandstone.

"I'm no disputin' yer courage, ye understand that," he said, after he had slaked his thirst. "Ye're a bonny fighter, Master Thorndyke, —I maun say that for ye,—but ye'll no win wi' such a man as Sharpless at that gait."

"No, I'm pretty well satisfied of that, now; though I still think there will be more fighting than parleying in the case, from the way they have begun on me."

Philip had been giving his companion a succinct account of the events of the previous day as they climbed the mountain, and Duncan had consented to take charge of the deed until it should be needed.

"Hae ye made up yer mind what ye'll do next?"

"Not definitely. As I told you awhile ago, it depends very much upon what Kilgrow says. Yesterday, I intended to prosecute immediately in both the civil and criminal courts, but I'm not so sure now that that would be the proper thing to do."

"Aye?" said Duncan, seating himself with his back against the cliff and making an inverted N of his sinewy length.

"No; to be frank about it, I think I lost my head when that deed turned up. It was a foolish thing to go to Pragmore the way I did. I might have known what would happen in case I wasn't able to scare him."

"An' can ye no sue them yet?"

"Oh, yes; but they know as much as I do, now, and they will be prepared at all points. We can beat them in the end, but they can

delay a settlement indefinitely. And I'm more afraid of delay than of anything else."

"Aye?"

"Yes. They have all the resources of the syndicate behind them, while I have nothing. They can give any amount of bail on the criminal charge, and when we get our verdict in chancery there may be nothing to recover from."

"But, man, there's the whole town built on Johnnie Keelgrow's land!"

"Yes, it's there to-day, and it may be there to-morrow; but it has grown up like Jonah's gourd, and it may be quite as short-lived."

Duncan nursed his chin reflectively. "That's just what Robbie Protheroe's aye hintin' at. He's a sharp lad, is Robbie."

"Of course I don't know anything about it," continued Thorndyke, following his own line of thought; "but other towns have flourished and failed, and Allacoochee may or may not prove to be an exception. Anyway, I'd like to get the thing settled while the pressure is high. It will be easier to get fifty thousand dollars now than ten thousand after the tide begins to turn."

Duncan's jaw fell, and he stared at Philip in speechless astonishment. "Feefty thousand dollars!" he exclaimed, when he could find breath to put his amazement into words. "Eh, man, man, but ye'll be killin' the goose outright!"

"No fear of that," laughed Philip, rising and taking the path again. "And if they don't call off their desperadoes it'll cost them more."

He spoke confidently, but he was troubled with many doubts and misgivings which poured in thickly upon the heels of yesterday's over-confidence. One insurmountable obstacle the second thought had brought up to block the way to a legal contest: the court would require a heavy bond from the complainant, and who was to furnish it? Kilgrow had nothing, and the loss of his own fortune put it out of Thorndyke's power to offer security. Clearly, the thing must be managed in some way without a suit, and Philip's perplexity kept him silent while they were pushing through the woods on the plateau toward the Pocket.

When they came out upon the crag from which Thorndyke had first looked down into the narrow valley, they saw Kilgrow working in the field below, and Duncan summoned him by a shrill whistle. Thirty minutes later, the old mountaineer joined them on the cliff, and Duncan laid before him a plan which Philip had outlined. It was a proposal that they should try to bring about a settlement of the claim by moral suasion before proceeding to extremities; and Kilgrow's presence at the conference would be necessary, since he would have to execute a quit-claim in case Sharpless and Fench came to terms. As Duncan had foretold, the old man refused, positively and definitely: he could not be persuaded to trust himself in Allacoochee, and all the assurances of protection that Philip could give him went for nothing.

"Then there is only one other thing to do," said Philip, when he had exhausted his eloquence in the effort to convince Kilgrow that no

harm should come to him; "you'll have to give me the power of attorney to sign a deed for you. Where is the nearest notary outside of Allacoochee, Mr. Duncan?"

Duncan caressed his stubbly chin and considered. "There's auld Judge Garry, down at Glenco," he suggested.

"How far is that from here?"

"It's mair than a good saxteen miles round by the valley pike, but I'm thinkin' it's no that far across the mountain.—How is that, Johnnie, man?"

"I reckon hit ain't more'n ten mile th'oo the gulch."

Thorndyke looked at his watch. "Are you good for the tramp, Mr. Duncan? I'll need a witness."

Duncan signified his willingness to go, but it was with great difficulty that they persuaded the old mountaineer to trust himself within sight of the railway. When he finally yielded, they took up the line of march to the southward, with Kilgrow leading the way. After threading the forests of the plateau for three hours or more, they began to descend into a deep ravine, and Philip heard the murmur of running water long before they came in sight of the swift stream gurgling through a leafy tunnel at the bottom of the gorge. They stopped at the margin of the brook while Thorndyke got a drink.

"Your mountain miles are good measure, Mr. Kilgrow," he said, taking out his watch again. "How much farther is it?"

The old man lifted his hat and scratched his head reflectively with one finger. "I reckon hit mought be 'bout two sights an' a horn-blow f'om yere."

Philip laughed and turned to Duncan: "I'm afraid you'll have to translate that for me."

"Ye'll be none the wiser when I do. Twa sights—that's as far as ye can see, an' then as far as ye can see beyon' that; an' a horn-blow—that's as far as ye can hear the scrawin' o' a coo's horn frae the far end o' the second sight. D' ye ken the noo?"

"Perfectly," said Philip. "I hope we'll get there before dark."

They did, but it was afternoon when they came to the end of the third division of distance and saw the scattered houses of the little village on the railway. Judge Garry's house was pointed out by a passing teamster, and Philip, going in for information, found that the judge was in Allacoochee but was expected home at five o'clock. They waited, Duncan with Scotch resignation, the mountaineer with an indifference born of long practice in the art of doing nothing, and Philip with true Anglo-Saxon impatience. When the judge made his appearance, the business was quickly despatched, and Duncan and Kilgrow started on their return over the mountain, leaving Thorndyke to go to Allacoochee by the evening train.

The train was due at eight, and while he was wearing out the second period of inaction on the porch of the tavern where he had eaten supper, Philip was able, for the first time since the finding of the deed, to go back to the events which had immediately preceded that piece of good fortune. He had Helen's letter in his pocket, and he read it again in the thickening twilight. It was a good letter, after

all, he admitted; sensible and practical, and showing forth in every line the nobility and true-heartedness of the writer. None the less, she should have known—she would have known, had she really loved him—that her proposal could be accepted only on the condition he had imposed,—that a single sentence of warm affection from her at such a time would have outweighed all the acts of self-abnegation that could be crowded into a lifetime. And yet he could not help wishing that he had not been so prompt to return cold formality for kind-hearted common sense. She would doubtless be glad enough to be free,—oh, that, of course; but he might have been as frank and informal with her as she had a right to expect him to be,—as their long friendship and engagement demanded. And just here a brush from the nettle of shame stung him. How could he ever hope that she would attribute any but the basest motive to his letter when she learned the truth about Elsie? Would she not always accuse him in her heart of having been glad of the pretext afforded by his loss for breaking openly an engagement which had been long ignored in secret? He was sure she would, and he checked himself impatiently when he found that he was setting the contempt of the woman he had asked to release him above the love of the woman who had saved his life.

That thought brought him back to Elsie and the present. Had she really saved his life? Was it quite beyond doubt that she was the one woman in the world who could lead him out of himself into a sphere of usefulness and accomplishment? It was by no means as clear and well-defined as it had appeared to be on that day when he had sat up among the pillows and fancied himself inspired. Nevertheless, as he had accepted the help, he must abide by the choice of that day—and he would, come what might.

No matter which way it turned, the train of reflections led quickly to discomfiting conclusions, and Thorndyke was glad when the sound of a distant whistle assured him that he could presently pass from the depressing atmosphere of introspection into a temporary oblivion of action. It was but a step across to the railway, and he was tired enough to postpone taking it until it became a necessity. The whistle sounded again, and he sat lazily watching the eye of yellow light staring southward from the signal-lamp over the station, while the rumble of the approaching train floated up the valley on the evening breeze. Had he known that Glenco was a flag-station for the night train, and that he was the only passenger, he would have bestirred himself when the lamp flashed red and then back to yellow again in answer to the engineer's call for signals. After that, it was too late; there was a rush and a roar, a discordant clanging of the engine bell mingled with the hissing of steam, and before he could cross the street the train had thundered past without stopping.

Circumstances, and the power to pick and choose among the possibilities, have much to do with one's peace of mind. Half an hour earlier, Philip had debated with himself the necessity for hurrying back to Allacoochee that night. The small hotel was clean; the supper had been of the kind which prophesies a wholesome breakfast; and he was weary enough to call it a day's work and to go to bed. None the

less, when he realized that his last chance for reaching Allacoochee had faded into a distant roar and two red eyes staring back at him down the long stretch of straight track north of Glenco, he was immediately possessed with an importunate devil of impatience. As a matter of fact, since there was an early train in the morning, it could make little difference whether he slept at Glenco or in his room at the Johannisberg; but it was a part of his plan that he should reach Allacoochee at once, and go he must, if he had to walk. So much he said to the hotel-keeper, who was at a loss to understand the impatience of his guest. A man might walk, he said; it was only ten miles. And then, again, a man might ride, if so be he were willing to pay for a horse. Philip caught at the alternative and offered to pay liberally. The horse was found, and after many minute directions about the road, which were qualified, repeated, and amended until they were hopelessly obscure, Thorndyke rode away in the darkness.

Having set out in haste, he had ample time to repent at leisure. The road, little used at any time, and practically abandoned since the opening of the railway, soon led away from the valley and ran in tortuous windings and ingenious doublings over a spur of John's Mountain. At the top of the spur it speedily lost its identity in a succession of wood roads, and, after following several of the latter to their vanishing points, Philip gave up the struggle and determined to let the horse find the way if he could. In common with unequestrian mankind in general, Philip shared the belief in the inerrant pathfinding instincts of horses; but after another hour of hesitant wandering, during which time he had been thrice garroted by low-swinging branches, and impartially bruised about the legs by the efforts of the horse to squeeze between close-growing trees, his confidence in the sagacity of the animal began to waver. From doubt to certainty is but a step, and Philip's faith in horses went the way of all delusions when the clumsy beast stumbled on the edge of a ravine, slid helplessly to the bottom, and ended by throwing his rider into a heap of stones.

Philip was half stunned by the fall, and when he came to himself he found that he had gained a sprained ankle and lost a horse. Remembering ruefully the maxim about great haste and small speed, he got up with some difficulty and continued his wanderings afoot until the pain in his ankle became unbearable. After that there was nothing for it but to sit down and wait for daylight, and he was about to resign himself to this comfortless alternative, when he heard a cock crow. Chickens argued inhabitants, and Philip dragged himself painfully in the direction of the sound until he came to the log cabin of a mountaineer. It was but a miserable hovel of a single room and a loft, and its indwellers were doubtless Bedouins in other respects than in their hospitality; but of the latter Philip soon had grateful assurances. He was taken in and cared for; the man making up a fire in the crumbling stone fireplace while the woman bathed his swollen ankle and called a half-grown boy from the loft to go out after red clay for a poultice. And afterward they would have made him take the only bed in the cabin if he had not insisted upon sleeping on the floor before the fire.

When Philip awoke the next morning he found himself as completely a prisoner as even Sharpless could have desired. Walking was out of the question, and his host had neither a horse nor the disposition to go to Glenco to procure one, though his offers of hospitality were as generous as he knew how to make them. Philip guessed at the man's reason for not wishing to appear in Glenco when the mountaineer offered him a potation from a jug drawn from its hiding-place beneath the puncheon floor, and forbore to press the point, contenting himself with a request that the boy might be allowed to carry a letter to Allacoochee. The permission was given, and Philip wrote a note to Duncan, telling him of the accident and urging him to spare no pains to keep Kilgrow out of the hands of Sharpless and his emissaries during the enforced armistice. This he enclosed in a line to Protheroe, in which he begged the young engineer to deliver the message to the Scotchman. Not having an envelop, he took that from Helen's letter, drawing his pencil through his own name and writing Protheroe's above it; and, after many explicit and precise instructions, the boy left the cabin on Thorndyke's errand. An hour afterward he was sitting contentedly on a boulder by the side of the Allacoochee road, waiting in tranquil idleness for the chance coming of some team whose driver would relieve him of the necessity for further exertion. He found a proxy in the course of the forenoon, and in due time the letter was delivered, not to Protheroe, but to Mr. Jenkins Fench, who answered the bearer's inquiry as to the whereabouts of the engineer, and who kindly volunteered to convey the missive to that gentleman's office on the fourth floor of the Guaranty Building.

XVI.

LOVE VERSUS IDEALS.

Duncan slept through the forenoon of the day following the journey to Glenco, being no longer a young man, and having spent rather more than half the night on the mountain with Kilgrow. He was eating a late dinner when Elsie, from her place at the window, announced the arrival of a visitor.

"Who is it, then?" asked Duncan, whose mind was burdened with premonitions of legal processes and writs of surrender all pointing toward the precious document left in his custody.

"I think he's coming here; it's no one we know. Yes, he's hitching his horse. He's a big man with a smooth face."

Duncan guessed Sharpless, and proceeded to fortify his caution by greater deliberation with his dinner. Elsie answered the visitor's knock, and presently came in with a square of cardboard. "It's Mr. Sharpless," she said.

"Aye?" said Duncan. "Do ye gang in an' sit wi' him the whiles I'm finishin' the bit dinner."

Elsie obeyed dutifully, but she stood in such awe of Kilgrow's arch-enemy that the suave lawyer had extracted no more than a half-dozen monosyllables from her when her father came to relieve her.

"Mr. James Duncan, I presume," said the visitor affably, rising to greet the farmer.

"The same," replied Duncan. "Sit ye doon, Master Sharpless." And in the exchange of civilities Elsie gladly made her escape to the kitchen.

"I drove over to see you on a little matter of business," said the lawyer, rightly judging that he would lose ground in any attempt to measure circumlocutory swords with the Scotchman. "I come from Mr. Thorndyke, and he refers me to you for some information in regard to John Kilgrow."

"Aye?" queried Duncan, who thought hardest when he said the least, and who was prepared in advance to discredit the statements of the town company's attorney even if they should appear to be self-evident truths.

"Yes. Mr. Thorndyke was obliged to leave for New York this morning, and before he went we had a conference about the matter in which he has been representing John Kilgrow. I hardly need tell you that, as professional men, we soon came to a satisfactory understanding, and Mr. Thorndyke was quite willing that I should settle the claim with his client direct. He referred me to you for the particulars, saying that it would be necessary to approach Kilgrow through you on account of a foolish fear on the part of the old man touching some ancient difficulty with the revenue people."

"Did Master Thorndyke gie ye a bit of a letter to me?" asked Duncan, warily.

"I spoke of it, but he said it wouldn't be necessary. He was very much hurried, and there was little time to spare. He was called home by telegraph, I understood."

Duncan ruminated thoughtfully for some minutes, considering not so much what he should say as how he could say the least and learn the most. "An' what is it ye'll be wantin' o' me, Master Sharpless?" he finally inquired.

"Nothing more than that you will see Kilgrow and arrange a meeting. I should be glad to entertain him in Allacoochee, but if he does not wish to come to town I can go to him, if he will appoint a time and place."

"But I'm na that sure I'll see auld Johnnie in the next twal'-month," objected Duncan.

"Why, I understood from Mr. Thorndyke that he lived here near you somewhere."

Duncan shook his head. "He has na house in these pairts that I ken."

Sharpless tilted his chair and slipped his hands into his pockets. "I understand your reluctance, Mr. Duncan," he said, with the smile that had softened more than one recalcitrant witness. "You will pardon my not mentioning it sooner, but I had no thought of asking you to serve us in this matter without compensation. It will be a thousand dollars in your pocket when you bring Kilgrow to my office in Allacoochee."

Duncan's solemn face gave no intimation of the strife stirred up

within him by the lawyer's shameless proposal,—a furious struggle between cautious shrewdness and righteous indignation. For the first, and perhaps the last, time in his life, wrath got the better of prudence, and he burst out in a storm of broad Scotch invective that put a sharp conclusion to the interview.

"Ye'll bribe auld Jamie Duncan, will ye? Ye'll tilt yersel' back in yer chair in a man's ain hoose an' pit a price on the heid o' his frien'? Lat me tell ye, ance for a', Master Attorney, ye didna bid high eneuch—there's na gowd eneuch amang the hale scam'lin' o' ye to buy ane hair o' Johnnie Keelgrow's heid, d' ye ken that, ye auld smooth-faced deil? Tak yer dour face oot o' the hoose, before I'm forgettin' I'm a man o' peace an' a Chreestian!"

Sharpless was shrewd enough to see that he had hopelessly ruined his case with the irate Scot, and he was wise enough to know that he would probably make matters worse by attempting to explain. He got away as soon as he could, followed to the threshold by the angry farmer, who continued to break the vials of his wrath over the lawyer's head as long as the latter was within hearing. After Sharpless had driven away, Duncan found that an explosion of anger does not always clear the mental atmosphere; and at a time when he felt the pressing need of a cool head and deliberate judgment, he could do nothing but walk the floor and call down anathemas upon the head of the offender. Believing no word of Sharpless's story, he yet had a vague fear that something was amiss with Thorndyke; and he was glad enough when, late in the afternoon, Protheroe rode up to the farm-house. Duncan's first question was of Philip.

"I supposed he was here; he hasn't been in town for two days. I came by the hotel and brought these letters, thinking that he might want them."

A great fear seized upon Duncan. "Robbie, man, are ye sure he didna go to New York this morn'?"

"I don't think he did. They said at the hotel that he hadn't been in since day before yesterday, and they'd know if he'd started on a journey this morning. Let me see those letters: no, he hasn't been there; most of these are post-marked yesterday."

Duncan's fear was dispelled, but a new one came quickly to take its place, and he began another battle with his invincible caution. Meanwhile, Protheroe improved the silent interval by trying to learn from Elsie's face what she thought or cared about Thorndyke's disappearance. Much, every way, he concluded, when Duncan spoke again.

"Robbie, lad, the time's come when I'm in sair need o' good counsel. Ye winna lat yer place mak ye boggle ower a bit o' advice?"

"With the town company, you mean? I discharged myself this morning; but if I hadn't, it would make no difference where I could be of service to you."

"The gude Lord be thankit!" exclaimed Duncan, fervently; and then he proceeded to relate in their proper order the incidents in the history of Kilgrow's wrong and Thorndyke's quest, ending with an account of the attorney's visit to the farm-house. Protheroe listened attentively, and he was ready with his answer when Duncan finished.

"Sharpless lied," he said. "Thorndyke wouldn't turn the case over to the company, nor would he abandon it just as he had got the whip-hand of his opponents. They've spirited him out of the way so they can scare Kilgrow into a cheap settlement; and Sharpless came to you because he didn't know where to find the old mountaineer."

Protheroe spoke to Duncan, but he kept his eyes fixed upon the face of the young girl, who sat eagerly listening. He was trying another experiment in physiognomy, and the result was not altogether comforting.

"Ye dinna think they'd harm the lad, do ye?"

"I imagine it would depend upon circumstances. The object would be to get rid of him until they could treat with Kilgrow. You know Thorndyke better than I do; would he be likely to go peaceably?"

Duncan shook his head gravely. "Na, I'm thinkin' he wouldna do that; he'd be mair than likely to gie 'em a deal o' trouble."

The experiment was a cruel one, but Protheroe continued it un pityingly. "In that case you can judge for yourself by what was done day before yesterday. Sharpless is thoroughly unscrupulous; and Thorndyke could send him to the penitentiary. It's kidnapping at the best, and it may be something much worse."

The engineer found the result of his experiment and his own punishment in the expression of horror that crept over Elsie's face when his inference became plain. It hurt him more than he cared to admit.

All through the long summer, while Philip and Elsie were apparently journeying hand in hand along the road in which he had unselfishly set their feet, Protheroe had hugged his ideal, playing the heroic part of the high-minded lover who generously effaces himself in order that the object of his affections may be free to walk in a path of her own choosing. It was an unjoyous task, this that he had set himself, and he was humiliated by the conviction, repeated and emphasized every time he saw Elsie, that it gained nothing in gladness with the lapse of time. In such case, absence seemed to be the proper emollient; but when Duncan asked his help, he said nothing about going away, and entered heartily into the farmer's plans for warning Kilgrow and for beginning an immediate search for the missing man. It was agreed that the young engineer should try to trace Thorndyke from Glenco or Allacoochee while Duncan made a journey to the Pocket; and when the farmer had departed on his errand, Protheroe turned back to the house for a final word with Elsie.

She was alone in the sitting-room when he entered, standing at the window which looked out upon the road. He saw that she had been crying, and he went to her quickly and took her hand in both of his.

"Can I say anything to comfort you before I go?" he asked.

She shook her head.

"What is it, Elsie? does it mean more to you than the possible danger of a friend?"

"Yes, much more." The frankness of her reply staggered him. "It was I who sent him into the danger. He—he said I was responsible."

Protheroe never knew the strength of his love until that moment,

but the gentler emotion was mingled with a dash of contemptuous anger for the man who could be so pusillanimous as to lay the burden of his responsibilities upon the tender conscience of a young girl, and his resentment spoke before he could muzzle it.

"That was ungenerous," he said.

She turned away to the window again, and her voice was unsteady when she answered him. "You mustn't say that; you don't understand; he was very unhappy and discouraged when he said it."

Protheroe told himself that his conclusions were verified in so many words, and yet he had to grapple fiercely with the spirit of lawlessness prompting him to apostatize once for all by telling her that she was more to him than she could ever be to Thorndyke, or to any one else. When he could trust himself to speak he said, quietly, "Don't grieve; we'll find him all right; I'll find him and bring him back to you."

He meant to go when he had said it, and he might have kept his resolution if she had not looked up into his face with her eyes full of trouble. "Please don't——" she began, but the ungovernable impulse slipped the leash, and for a moment Protheroe put the cup of possession to his lips and drank deeply, taking her in his arms and covering the burning cheeks with his kisses. Then a sudden sense of the enormity of his transgression overwhelmed him, and, releasing her, he ran from the house and flung himself into the saddle to gallop away toward Allacoochee with the ruins of a shattered ideal pelting him at every bound of the horse.

XVII.

IN A STRAIT BETWIXT TWO.

For two whole days, shame kept the young engineer from returning to the farm-house on the Little Chiwassee, but the urgings of the same wholesome emotion made him tireless in his efforts to find Thorndyke. He accepted his own theory of kidnapping, and, after learning from the hotel-keeper at Glenco that Philip had set out to ride to Allacoochee, and that the horse had returned riderless the following day, he was confirmed in the belief that the young attorney had been waylaid and carried off to some isolated cabin on the plateau. Acting upon this conclusion, he began a systematic search on the mountain; and since his occupation had made him familiar with every spur and ravine within ten miles of Allacoochee, it would have been singular if he had failed to discover Thorndyke's asylum. It was late in the afternoon of the second day, however, when Philip heard the welcome sound of approaching hoof-beats, and his satisfaction was not lessened when he found that the rider was Protheroe. He laughed when he hobbled to the door and saw the engineer coming up with a Winchester held at the ready.

"You needn't be alarmed," he called out; "I don't want to fight, and I can't run."

Protheroe was mystified, but the bandaged ankle was held up in evidence. "Then you're not a prisoner, after all?" he said.

"Oh, yes, I am,—very much so; but not by the ill will of my good

friends here. All I need is an ambulance, or the loan of a gentle horse."

"We were afraid you'd been kidnapped," said Protheroe, and, seeing Philip's look of inquiry, he added, "I'm in the secret; Duncan has told me all about it."

"But I don't understand yet. I wrote Duncan two days ago and sent the letter in your care. Didn't he get it?"

A sudden light broke in upon Protheroe. "Two days ago? that was Wednesday. How did you send it?"

"By messenger to you at Allacoochee."

"Duncan didn't get it, and I never heard of it. It probably fell into the hands of the enemy. Sharpless went to Duncan Wednesday afternoon with a story about your having gone to New York; and ever since, he's been turning heaven and earth over to find Kilgrow."

"Unsuccessfully, I hope?"

"Up to date, yes; and I think there's no chance for him. Duncan warned the old man at once."

"Good! then everything's all right yet. By Jove! old man, I've been having a horrible time cooped up here when there's so much at stake and every day is precious."

Protheroe smiled. "I can imagine; but you needn't worry; Allacoochee hasn't run away yet, and, so far as I know, the company is still solvent. Are you ready to go back to civilization?"

"Indeed I am, if you'll tell me how to do it."

"Nothing easier; you can ride my horse, and I'll walk."

When Philip had taken leave of his entertainers, and had narrowly missed a quarrel with the Bedouin in the effort to make him take payment for his hospitality, he was helped into the saddle.

"You want to go to Allacoochee, I suppose," Protheroe said.

"I'd rather go to Duncan's, if we can get there."

Protheroe's heart misgave him, but he answered unhesitatingly, "It can be done," and they were soon out of sight of the cabin in the windings of a trail leading diagonally across the plateau.

For some miles they pushed on in such silence as the narrowness of the path made compulsory, but when the trail broadened into a wood road, Protheroe dropped back beside the horse and they began to speak of the missing letter. The talk reminded the engineer that he still had Thorndyke's mail in his pocket, and he passed it up and considerably went on ahead again while Philip read the letters. There was one from Helen, and, yielding to something like a suggestion of moral cowardice, Philip left it until the last. When he opened it, he saw that it had been written on the same day as that about the marriage portion, and the first words proved that it was an after-thought.

"I have just mailed one letter to you," she wrote, "and it was hardly out of my hands before I began to be sorry that I had sent it. As I remember it now, it was all about the money, and I ought to have known that you would do what was just and right without any urging from me. What I want to say now is what I should have said then: that I cannot endure this separation much longer,—that the love which I have tried so hard to keep out of my letters for fear I should make

you come back to your hurt refuses to be hidden under meaningless and commonplace phrases.

"Oh, Philip, if you love me, please don't let this misfortune raise any barrier between us! You know what Aunt Bellam left me,—you know that it is mine in my own right, and I entreat you not to turn my gratitude into misery by refusing to share this money with me. But you will not, I know you will not; and if we had nothing else, we should still have each other, and what more could we ask?"

"In some respects, I know you better than you know yourself; and I know that if you can have your health you will yet win a place among those who have fought their way into the foremost rank. Be good to me, Philip, dear, and let me share the battle and the triumph with you. Come back to us if you are well enough, and if you are not, please let me come to you."

Protheroe heard something between a groan and an imprecation, and he stopped and waited for Philip to come up. "Did you say anything?" he asked.

"Nothing worth repeating; I think I was tempted to swear a little at the crookedness of things in general. I wish that cursed horse that threw me had broken his neck or mine, or both."

"Does your ankle hurt?"

"Everything hurts."

Protheroe did not attempt to drive the conversational nail any farther. He was preoccupied with his own concerns, and he had been trying to determine what he should do when he reached Duncan's. Would his part in the affair be ended when he had seen Thorndyke safe in the house of his friends? or would he be expected to help his rival in the fight with the company? How would Elsie receive him after his late transgression? How could he endure to meet her in the presence of the man she loved?

They were troublesome questions, but the engineer's perplexities were as serenity itself compared with the tumult of conflicting emotions which had slain the peace of mind of his companion. Before he had read three lines of Helen's letter, Thorndyke was sinking into the nether depths of self-abasement; and when he had finished it he felt that it would be a comfort if he could get down into the road and strew dust upon his head. This was the love he had put aside for the sake of a mere impulse born of a sick man's fantasies; the fine gold that he had tossed contemptuously into a melting-pot heated by—the remainder of the simile was drowned in a submerging wave of self-contempt. And now, at this present moment, when he was cursing his reckless inconstancy, and wishing from the bottom of his heart that he had had the decency to die quietly in the odor of good faith, she had his letter and she had learned at his own hands upon what a broken reed her love had been leaning.

After the storm came the calm of desperation. He had wrecked Helen's life and his own, and Elsie's happiness trembled in the balance. He could at least save Duncan's daughter, and in the riot of distracting thoughts this was the only one that offered a grain of comfort. He would expiate his folly by devoting himself, body and soul, to the task

of making Elsie as happy as she deserved to be. And he would speak to her as soon as he could find the opportunity,—before he had time to sink still deeper in the mire of fickleness, he told himself bitterly.

By the time Thorndyke had reached this conclusion, Protheroe was leading the horse down the trail on the Little Chiwassee side of the mountain, and an hour after dark the small procession stopped at Duncan's gate.

"You're heavier than you used to be; I don't think you're going to die of consumption," said Protheroe, remembering another time when he had helped Philip dismount at the farmer's gate.

"No, more's the pity," rejoined Philip, ungraciously. "It would be better on all accounts if I should."

As not infrequently happens when the probable course of events has been carefully prefigured, nothing came about during the evening to verify Protheroe's fears or to add to Thorndyke's misery. They were all unfeignedly glad to welcome both of the wanderers; and while Mrs. Duncan was principally concerned in doctoring Philip's ankle, Elsie tried to induce the young engineer to lay aside the shroud of reserve which he conceived to be the proper penitential garment for the occasion. How had he found Mr. Thorndyke? Had he ridden far? How had they ever managed to get down the mountain with the horse? Weren't they both dreadfully hungry? These and many more questions Protheroe had to answer, and at length he was obliged, for very shame's sake, to compel himself to be oblivious to that which Elsie was so evidently bent upon ignoring.

And neither that night nor the next morning before they left for Allacoochee did either of the young men find an opportunity for private speech with the girl; though Thorndyke abused himself, as was his wont, for not having made one, and Protheroe went away leaden-hearted because he had been denied the privileges of confession and absolution.

As to the necessity for going, Thorndyke was peremptory and obdurate. He insisted that Sharpless must not be given another day; that there had already been sufficient delay to enable the crafty and unscrupulous attorney to intrench himself behind mountains of chicanery. No, he said, there should be a settlement that day, or else he would have the manager and the attorney in jail before night.

"I wouldna be too preceese aboot the exact sum, Master Thorndyke," was Duncan's parting injunction. "Feefty thousand dollars is a fearfu' deal o' money to ding oot at ane clatter."

"I've been thinking that over since we spoke of it," rejoined Philip, "and I've changed my mind. They'll pay a hundred thousand, or go to jail."

Protheroe laughed heartily at Duncan's dumb show of amazement when they were out of hearing. "I hope you'll win," he said. "Do you want me to go with you?"

"No; I fancy I can manage them better alone; but I'm much obliged. I'd be glad to have you with me afterward, though. I imagine Sharpless will be in an assassinating mood if I do win."

XVIII.

A BATTLE ROYAL.

Allacoochee the wonderful was never more alive to the fact of its own importance and prosperity than on a certain day in September which had been set apart and marked with a red letter as the herald of a new epoch in the history of the city. It was to be "blowing-in" day at the Chiwassee Furnace; and the throbbing pulse of the great blast-engines would thereupon open new arteries of industry, flowing with currents of molten iron to strengthen and invigorate the thews and sinews of the many-handed giant of labor. There was to be an industrial parade and a monster meeting in the afternoon at the furnace, where a platform had been built for the orators, and where the train-load of capitalists and excursionists to arrive at noon would be welcomed as the guests of the city.

At an early hour in the morning the streets were thronged with visitors moving in unquiet crowds under the gayly decorated awnings, or stopping in admiring groups to stare at the elaborate display of bunting and flags ornamenting the company's offices in the Guaranty Building. In the anatomy of Allacoochee, the Guaranty Building was the brain; and in one of its comfortably furnished cells, isolated by thick walls and deadened floors from the out-of-door turmoil of this morning of expectation, the twin souls of the urban monster sat facing each other in morose silence. Four days had elapsed since the terrified notary had burst in upon them with the information that the forged deed had been found, and for three days an evil-doer's Providence had given them an opportunity for which they would have been willing to pay in the coin of crime; and yet, in spite of the warning and of the removal of their chief opponent, they were still as far as ever from a haven of safety: the forged deed was still in existence, and bribery and search-parties had alike failed to reveal the hiding-place of the old mountaineer. The threatened danger cast its shadow upon the two men each after his kind. Sharpless sat erect, scowling and indomitable, while Fench cowered in his chair, clasping and unclasping his lean fingers in the nervelessness of dismay.

"I tell you, Sharpless, it's no use talking—it never was any use talking; it's time to run. We might have been in Mexico by this time if you'd had any sense."

Fench's voice was querulous with fear, and the last sentence ended in a snarl, but the recrimination served only to deepen the frown on the brow of the lawyer. In the silence that succeeded, they heard a curious thumping in the corridor, which was explained when the door opened to admit an unannounced visitor. It was Thorndyke, on crutches, and he stopped to close the door carefully before limping to a chair from which he could see both of the conspirators. In the twinkling of an eye the scowl on Sharpless's face melted into a suave smile of welcome, and his greeting was cheerful and genial.

"Good-morning, Mr. Thorndyke. You're quite a stranger."

Philip ignored the proffered civility and went brusquely to the point. "I didn't come here to measure polite phrases with either of

you, as you probably know. I am here as the legal representative of John Kilgrow, upon whose farm you have taken the liberty to build a city."

The smile of welcome on the lawyer's face disappeared as quickly as it had come, and the thin figure of the manager seemed to shrink into a still smaller compass.

"You'll have to be more explicit, Mr. Thorndyke," said Sharpless, tilting easily in his chair.

"And I will be, simply to show you what I am prepared to prove. On the 9th of February in the present year you purchased of James Cates a tract of land which you had good reason to suspect was stolen from John Kilgrow. To quiet the title, you forged a deed from Kilgrow to Cates and had it recorded. For some reason which I don't pretend to understand, you omitted to destroy this deed, and, as you know, it has lately fallen into my hands. The facts in the case have been carefully collected and verified, and it remains for you to say whether my client shall be compelled to seek satisfaction in the courts."

The lawyer's face brightened at the implied alternative. "You mean a compromise?"

"I mean payment in full for what you have stolen."

"That is a harsh word, Mr. Thorndyke."

"Possibly, but it has the merit of truth."

"Are you prepared to act for your client in this matter?"

"I am his attorney in fact."

"What is your proposition?"

"I will execute a quit-claim on the part of my client, and I will surrender the forged deed, upon the payment of one hundred thousand dollars in cash or in bankable funds."

Sharpless sprang to his feet with an oath, and Fench had almost reached the door when Philip stopped him. "Don't go just yet, Mr. Fench; there's an officer in the corridor, and he has his instructions."

The manager crept back to his chair again, and Sharpless sat down. "That was a good joke of yours, Mr. Thorndyke," he said, with an unpleasant smile. "Of course you know that the original value of the land was next to nothing."

"I don't care to argue that point or any other. The question between us is simply this: will you pay me one hundred thousand dollars, or shall I give you in charge for forgery?"

While Thorndyke was speaking, Sharpless was swaying gently back and forth in the pivot-chair, with his right arm lying upon the desk. In the little interval of silence that followed, the fingers of the idle hand sought the knob of a small drawer under the pigeon-holes. When he began to speak the lawyer's voice was smooth and passionless. "Let us assume, for the sake of example, that what you say of us is true; that we are the unscrupulous villains that your indictment presupposes." The hand on the desk was mechanically opening and closing the drawer, and Philip saw a glint of nickel-plating among the papers. "Assuming this, doesn't it strike you that you are a little rash

in coming here to threaten us?" The idling hand dropped carelessly into the open drawer and lay quiescent.

Philip ignored the hypothetical menace, and kept his eyes fixed upon the motionless hand.

"Violence is always a dangerous weapon, Mr. Sharpless," he said, quietly, "and you will agree with me that when it becomes necessary to employ it, hesitation is not to be too strongly deprecated. I'll trouble you to close that drawer."

In the duel of words Sharpless had been reflectively measuring the distance between himself and the coat-pocket into which Philip had slipped his hand at the beginning of the interview. The deductions were evidently upon the side of prudence, for he shut the drawer with a snap and turned away from the desk.

"Going back to the original question,—your demand is unreasonable; and if it were not, there is not such an amount as you name in all the banks in the city."

"Probably not; and, in any event, I should prefer your draft on New York, secured by a mortgage on all the property of the company in Chilmath County."

"Oh, you would?"—Sharpless was losing his self-control. "Perhaps you think I own the property in fee simple. You ought to know, if you know anything at all, that I should have to submit the matter to our New York officers."

Knowing that he had the sword in, Philip could not refrain from twisting it a little in the wound. "From my point of view, that would seem to be the last thing that you'd care to do. You could scarcely afford to give the facts in the case, you know, and I don't see how anything else would answer. However, that is all beside the mark. I know that you have the authority to sign papers and to transfer property"—he looked at his watch—"my time is limited, gentlemen; which is it to be, an amicable settlement or—let us not mince matters—the chain-gang?"

For the first time during the interview Fench roused himself to speak. "For God's sake, Sharpless, don't trifle with him: give him what he wants!"

None the less, Sharpless fought desperately, contesting every inch of ground. It would take time to draw up the papers; he must at least be allowed to telegraph New York; he had no idea that his draft would be honored without explanations. To all of which Philip turned a deaf ear and pointed inexorably to the alternative. He must have the draft and the security, or the law should be allowed to take its course. When it finally came down to a mere question of the time required for the preparation of the papers, Philip produced a draft and a mortgage ready for signature, together with a quit-claim deed signed by himself as attorney in fact for John Kilgrow.

"You have a notary within call," he said; "have him come in and witness your signatures."

The manager's clerk was summoned, and when Fench had written his name with trembling fingers under the scrawling signature of the attorney, the clerk filled out the attestation, and the mortgage and the

draft were handed to Thorndyke. Sharpless dismissed the young man curtly when his duty was performed and turned irascibly upon his successful opponent.

"You will remember that this was your own proposition," he said, angrily; "I give you fair warning that you'll have trouble with the matter yet before you're through with it. Now give me that paper that you've made so much of."

It was a rash speech, and if Lawyer Sharpless had not parted with all his reserves of shrewdness he would never have uttered it. Philip calmly ignored the demand and answered the threat.

"I shall look to you to smooth away all difficulties," he said, rising and taking up his crutches. "On the day that your draft is honored I will release the mortgage and mail you the forged deed,—and not a moment sooner."

Five minutes afterward he was making his way across the crowded street to where Protheroe stood with two saddled horses.

"It's done," he said, briefly, while the engineer was helping him to mount. "Let's get to the court-house as quick as we can; I shan't be able to breathe comfortably until the mortgage is on record."

XIX.

CONFESSION AND ABSOLUTION.

Protheroe tried to make himself believe that he should not have allowed Philip to persuade him to go back to Duncan's after the recording of the mortgage. He argued that it would be better on all accounts if he should drop quietly out of the small melodrama in which he had at the most figured only as a supernumerary. The resolution hung in the balance while he waited at the court-house for Thorndyke, and it was the thought that he still owed Elsie some indefinite debt of apology and explanation that finally turned the scale in the direction of Philip's urgings. On the way up the valley he tried to reconstruct his dismembered ideal, to the end that he might be able to witness Philip's triumph with some outward show of equanimity; and when they reached the farm-house he found this easier than he had anticipated. While Thorndyke was deservedly the hero of the day, the rejoicing in the Duncan household was sincere enough to be infectious; and before he knew it, Protheroe was extolling Philip's courage and perseverance quite as honestly as any of the others.

When the excitement had a little subsided, Philip asked how Kilgrow could best be reached. Duncan wanted to climb the mountain himself, but his wife objected.

"It'll just be flyin' in the face o' Providence, wi' your rheumatics, Jamie, and that'll no do, whatever," she said; and when Protheroe offered to go, a fresh difficulty arose.

"Ye wouldna find auld Johnnie in a month o' Sundays, Robbie, lad. Dinna ye ken he's hid awa' frae Sharpless an' his gang?"

Then Elsie came to the rescue, and Duncan demurred again. "I'm

no that free to lat ye go, bairnie; the Lord on'y knows how many o' Sharpless's cutthroats ye might be fallin' in wi'."

All of which pointed to an obvious conclusion. Before Protheroe could fully determine whether to be glad or sorry, he found himself helping Elsie up the path on John's Mountain. With the unlimited opportunity for free speech his confession stuck fast in his throat. At first, Elsie was too joyous; no man in his sober senses could plead his cause before a judge whose ebullient happiness overflowed all the approaches to seriousness. And afterward, when his taciturnity had dampened Elsie's enthusiasm, the difficulties were increased rather than diminished. After a time they stood together upon the brink of the Pocket, and Protheroe realized that it was then or never; in a few minutes they would be with the old mountaineer.

"Wait a minute, please," he said, as Elsie was about to lead the way to the path down the cliff.

She stopped obediently, and the fear that delay would bring more irresolution made him go on quickly. "I want to tell you how sorry I am for what I did the other day; I know it was inexcusable, but I have done what I could to atone for it."

She was standing at the verge of the cliff, clinging to a small tree growing out of a crevice in the rock, and looking down into the billows of foliage below.

"What have you done?" she asked.

"It isn't much, I know; but I kept my promise,—I brought him back to you."

"Mr. Thorndyke, you mean?"

"Yes."

"I'm sure I'm much obliged; it was awfully good of you."

She turned still farther from him, and he made an involuntary step toward her when she leaned over the edge of the rock. Then he saw that she was shaking with suppressed laughter, and penitence very nearly became wrath.

"Why are you laughing at me?" he demanded.

"Because you're so ridiculous," she retorted, facing him suddenly. "What makes you talk as if Mr. Thorndyke belonged to me? What right have you to think that he's anything more than a friend of my father's, like—like yourself? How do you know that he isn't engaged to the young lady in New York who writes to him every week?"

Protheroe made a praiseworthy attempt to be coherent, but it ended rather tamely. "Then you—then I have been mistaken all along in thinking—Elsie, please come away from that cliff and tell me you forgive me."

"I won't,—not till you catch me." And, with a mocking laugh in which there was more joy than derision, she slipped over the edge of the rock and was nearly out of sight in the path below before Protheroe gathered enough presence of mind to accept her challenge. The chase was short and vigorous, and when it was ended the process of forgiveness appeared to be somewhat abstruse and complicated, judging from the time which elapsed before the young man and the maiden presented themselves in the cave of the mountaineer.

Kilgrow took the news of his good fortune with a serene complacency born of a happy ignorance of money values.

"Thess so's 't they-all 'll lemme alone, is all I keer," he said, and they had some trouble in making him understand that his presence was needed at the farm-house. Loving and trusting Elsie, he went willingly when he understood what was wanted of him; and on the way back to the valley he was mindful enough of his own long-buried youth to keep well out of earshot of the two young people, to whom the return journey was only too short.

The afternoon sun was shining slantwise over the neck of the Bull when they reached the house, and after the reticent and embarrassed mountaineer had run the gauntlet of congratulation, Thorndyke took him up to the attic bedroom.

"You understand that I'll have to go to New York to collect this money," he began, when he was alone with his client. "What am I to do with it, and how much shall I keep out for my fee?"

A smile of child-like surprise flickered for a moment on the withered face of the old man. "Fer you-uns' pay?—I thort I done tol' ye 'bout that thar, 'long back yonder at the fust. I 'lowed to you-uns then that ef so be ye c'd raise me two thousand dollars out'n hit——"

"But that's sheer nonsense, you know," protested Philip. "I should be treating you worse than the others to take such an advantage."

"Barg'in's a barg'in," insisted Kilgrow, firmly.

"It wasn't a bargain, but I'll tell you what I will agree to; I'll divide this money equally with you."

"How much d' ye reckon that 'd be?"

"Fifty thousand dollars apiece."

The sum was still too large to be comprehensible to Kilgrow, and Philip sought to help him. "If you put your share into Government bonds, the interest would be about fifteen hundred dollars a year."

The old man sat in perplexed silence revolving his hat slowly in his thin hands. "I reckon I cayn't figure hit out ef I try," he said, after a little. "I wisht you-uns 'd do whatsoever ye think's right weth hit."

"I'll invest it for you, if you like, and the interest can be sent to Duncan."

"I reckon that'll be all right." Kilgrow rose and moved toward the door, stopping on the threshold to ask a question that troubled him more than the disposition of his newly-acquired fortune. "Ye reckon them fellers is plum shore t' lemme alone, now, air ye?"

"Why, certainly. The thing's done and settled, and they've no more reason to persecute you now than if you'd never owned the land."

"Thank ye; that's what I keer fer more'n the money. D' ye 'low ye'll put hit in them thar bon's?"

"That will be the safest investment for you."

There was another pause and more searching for the few common factors of speech. "I'm gittin' sort o' tol'able ol', these days, an' they ain't nobody ter come atter me; I reckon they ain't no way ye c'd fix hit so't the little gal mought git hit w'en I'm th'oo weth hit?"

"You mean Duncan's daughter?"

Kilgrow nodded.

"Why, yes; I can buy the bonds in her name, if you wish."

"Thank ye; that thar's what I's p'intin' at." He nodded gravely and left the room, coming back again presently to hold out his hand across the table to Philip. "I cayn't jaw much,—you-uns done foun' that out 'fore now,—but I reckon you-uns kin sort o' lay hit out in you-uns' min' what-all I'd say ef ou'y I thess knowed how. 'Tain't many of 'em 'd 'a' tuk up fer a pore ol' to'n-up wildcatter, nohow."

Philip grasped the extended hand and wrung it heartily. "Don't say a word, Mr. Kilgrow; the obligation is all on my side: I should be a poor man to-day if I hadn't won for you. And, besides, you know I'm a young lawyer and this is my first case; I ought to thank you for giving it to me. And I do,—God bless you!"

Kilgrow was hardly out of the room when Protheroe tapped at the door and entered without waiting to be asked. "I beg your pardon if I intrude," he said, bluntly, "but I've got to have a word with you before you go down. I suppose you'll think I'm a cursed cad, after all, but I can't help it if you do. I've asked Elsie to marry me, and she says she will."

He thought he had prepared himself for anything that Thorndyke could possibly say or do, but the forearming had been altogether on the side of resistance, and Philip's enthusiastic outburst of hilarious approval left him quite helpless.

"By Jove, old man, that was the only thing that was needed to make this the happiest day of my life!"—Thorndyke was wringing his hand till it ached. "God bless you—God bless you both! And you're a lucky dog, too: the old man's just authorized me to put the whole fifty thousand in her name." He jerked out his watch, breaking the chain in his haste. "Great Cæsar! it's half-past three, and that train goes at four thirty-five! Protheroe, if you love me help me catch it; I've got to start for New York to-day if I have to walk!"

It was a hurried farewell at the farm-house and a sharp gallop to town, with a breathless scramble for scattered belongings at the hotel; but Philip caught the train, and there was still time for him to scribble a telegram which he thrust out of the car window to Protheroe as the wheels began to turn. It was to Helen, and it read, "Please disregard my letter, and forgive me if you can. I am on my way home."

XX.

THE END OF ALL THINGS.

Like a few other sensible people, Philip and Helen deferred their wedding journey to a time when it came as a welcome relief from the round of domestic and social duties for the wife, and a needed rest from the drudgery of business for the husband. Philip had said summer and Europe, but Helen had pleaded for autumn and the South, and she had her way.

"We can go on to New Orleans if you like, but I want to see Allacoochee," she said.

"You're too late for that; Allacoochee is dead and buried—so Protheroe writes."

"No matter; we can see the place where it was. I shall always love it, alive or dead, for what it did for you."

And so it came about that on a certain golden October day, when the rugged outlines of Jubal Mountain were melting in the soft autumn haze, and the fragrance of summer blossoms had given place to the spicy sweetness of withered leaves and ripened fruit, a thinly-peopled train on the Chiwassee Valley Extension debarked two of its passengers at the ornate station which aforetime had been too small to accommodate the throngs besieging it at train-hours. There was no lack of room now, however, and when Philip lifted Helen to the platform the empty train-shed echoed their steps as if protesting against the invasion of its solitude. At the arched entrance, where the crowd of vociferous hackmen used to fight for patronage, they were met by a single decrepit negro.

"Hotel, sah?" he asked, doffing his battered hat and bowing with a touch of unspoiled courtesy.

"Yes; you may take us to the Johannisberg."

"Cayn't do dat, sah—no, sah; 'caze hit ain't runnin' no mo'. Dee ain't no hotel in de new town now, sah. Hab to take you-all to de Mountain House."

Philip put his wife into the shakly vehicle. "Is your horse good for a six-mile drive, uncle?"

"Oh, yass, sah—he suttinly am dat; ef hit's anywhars on de plain dirt-road."

"All right. Put the top down so we can see, and drive us around town a bit; then I'll tell you where to go."

Three hundred yards from the station the carriage turned into Broadway. Nature reasserts herself speedily in a semi-tropical climate, and the rank grass sprouting between the paving-stones deadened the sound of the horse's hoofs and muffled the jingling accompaniment of loose bolts in the worn-out hackney-coach.

"Protheroe didn't stretch it much," said Philip, unconsciously lowering his voice in deference to the sepulchral quiet of the street. "You'd hardly believe that I have stood on the sidewalk just here, waiting my chance to dodge across through the endless stream of carriages and wagons and electric cars."

"It doesn't seem possible."

"No, it doesn't. And in that last afternoon, when I was breaking my heart to catch the New York train, the Johannisberg omnibus was actually stopped in a jam of vehicles somewhere along in this square, and I was afraid we'd miss it."

On either side of the grass-grown streets were the costly monuments of the sham city's brief day of activity and life. Lofty buildings, empty from cellar to roof; rows of vacant store-rooms, lined with dusty shelving and littered with the forlorn débris of hasty removals; shattered glass on the sidewalk; withered grass festooning

the cornices; and, in front of the dismantled Bank of Allacoochee, the skeleton of an electric car left to dissolve peacefully on the rusty tracks in the roadway. Here and there the desolation was emphasized rather than relieved by a scanty and shop-worn display in the windows of some merchant who had been unwilling or unable to join his neighbors in the general exodus following the crash; pitiable flotsam and jetsam left by the high tide of commerce to bleach and moulder on the rocks of an uncharted island in the ocean of traffic. Of these stranded wrecks, the most notable was the store of a dealer in hardware just across from the Chiwassee National Bank.

"That is where I bought my pistol on the night of the garroting," said Philip, telling the driver to pull up at the curb-stone.

The proprietor of the place was sitting on a spool of barbed wire in front of his own door, and he rose and crossed the sidewalk in response to Philip's salutation. "Oh, it's you, is it, Mr. Thorndyke? I didn't know you at first. Come back to take a look at the corpse?"

"It amounts to that, I'm afraid," said Philip, sympathetically.

"It does, for a fact—just that. All we need now is a good, old-fashioned earthquake; not the fever-and-ague kind you read about nowadays, but the sort they used to put in the geographies when we went to school,—a shake with a big crack in the middle of it to bury the wreck decently out of sight."

"It's dreadful," said Philip, not knowing what else to say. "Why didn't you get away with the rest of them?"

The man made a pathetic gesture of helplessness. "There were two reasons. In the first place, I bought my stock and paid for it, so I missed the help of the deputy sheriffs and the creditors; they made the move easy for most of 'em, I tell you. Then, again, it costs money to move a stock of hardware, even if you know where to take it, and I don't."

"I think you're more to be pitied than the others," ventured Philip.

"You're right about that. It's a terrible thing to be anchored in a dead town, and that's what I am,—both anchors down and stuck in the mud, with the windlass broken, at that." The man smiled at his own joke and went back to his seat on the spool of wire when Philip told the driver to turn down into the manufacturing district.

In the space between the railway and the river the air of desolation was even more oppressive than in Broadway. Tall chimneys standing guard over many-windowed factories whose walls had never vibrated with the jar of the expensive machinery left to rust and crumble within them; piles of costly lumber warping and twisting in the weather; rows of cottages built for the operatives, tenantless now save for an occasional family of negroes living rent-free in the industrial desert. It seemed like a desecration to break the silence, and neither of them spoke until the carriage reached the bisecting street of the old town.

"This is Allacoochee the original," said Philip, "and I fancy it has gone back to just what it was in the antediluvian days. There's the Mountain House; fine old Southern mansion, they told me it used to be. That's the old court-house at the head of the street,—where I

found the deed, you know. This is Catron's store, and that place next door—well, if that isn't nerve!"

The exclamation pointed at a slim figure standing before a door-way over which swung a faded sign bearing the inscription "Simon Pragmore, Notary Public." The figure lifted its slouch hat at sight of the carriage and its occupants, and out of its sallow and immobile face came the courteous salutation, "Good-mawnin', Misteh Thorndyke; glad to see you lookin' so well, seh."

"I suppose that is Mr. Pragmore," said Helen, a little later.

Philip was wrestling with a ghost of indignation. "Of course it is; and to think that he has the assurance to come back here and go on with his business as though nothing had happened! I've a mind to stop over and revive the charge against him."

"Indeed, you won't do anything of the kind," retorted Helen, and Philip changed the subject.

"Have you seen enough of the place?" he asked.

"Yes."

"Well, I haven't.—Drive back up Broadway past the Guaranty Building, and then take the road up the Little Chiwassee"—this last to the old negro.

Opposite the office building of the defunct town company they stopped again. When the crash came there were many sufferers, and evidences of rascality on the part of the company's agents were not lacking. There had been a mob and a riot, and the company's offices had suffered first and most. The four-storied building of brick and stucco had been first gutted and then bombarded with such missiles as impotent rage could find. It stood grim and gaunt, with battered walls and unglazed openings; a monument more pitiful than its fellows, and yet less worthy, since its owners gained where all others lost.

Helen shivered and drew her wrap closer, as if the desolation made her cold. "Let's go on," she said. "It's too dreadful; it's like being in a cemetery with the graves all opened and the dead people staring at you out of their broken coffins!"

"So fleet the works of men
Back to the earth again,"

quoted Philip, giving the order to the driver.

When they had passed the dismantled Johannisberg, with its once-beautiful lawn grown up into a weedy desert, Philip pointed to a last summer's cornfield across the Little Chiwassee. "That was Chiwassee-by-the-Stream in my day," he said. "Lots sold over there for a hundred and fifty dollars a front foot."

The old negro pulled his horse into an unwilling trot, and the carriage rolled around the shoulder of John's Mountain in a cloud of yellow dust; the ruined street suddenly became a quiet country road, and the dead city lay behind them. An hour later they had climbed the spur bounding the Scotchman's farm, and Philip pointed out a comfortable stone farm-house nestling against the sloping bosom of the mountain.

"That's Duncan's," he said, as they rattled down to the gate; "and

there's Elsie—Mrs. Robert Protheroe, I should say—standing in the door with my godson in her arms.”

They were expected, though not until later in the day, and Mrs. Duncan and Elsie were presently in a bustle of kindly hospitality that carried Philip swiftly back to the days of his exile.

“Jamie an’ Robbie ’ll be home to the dinner,” said Mrs. Duncan. “They’ve just gone up the mountain to fess auld Johnnie down to greet ye, Master Thorndyke.”

“And how is old Johnnie?” inquired Philip, trying to win some token of recognition from the small philosopher in Elsie’s arms.

“Ye’ll not see the change o’ a day in him,” replied the mother, and the daughter added, “He has but one trouble now, and you’re responsible for that; he can’t begin to spend his income, and he will persist in burying it under a stone in his fireplace.”

Philip laughed, and then it suddenly occurred to the good housewife that her guests must be craving the privacy which is the time-honored right of travellers in all climes; whereupon there was more kindly bustle, and Philip and Helen were shown up to the little bedroom under the eaves.

Helen sat down on the bed while Philip was unstrapping the valises. “She’s pretty, Phil, *very* pretty, and sweet enough to be taken without sugar, I think.”

“Who? Mrs. Duncan?” asked Philip, without looking up.

“Of course not!”—with impatient scorn—“Mrs. Duncan’s daughter. And under the circumstances, Phil, I think you deserve great credit for not falling in love with her; I do, really.”

Philip tugged at the straps until he grew red in the face. “Perhaps I should if Protheroe hadn’t stolen a march on me. I imagine it was as good as settled between them long before my time.”

THE END.

MERCANTILE LIBRARY,
NEW YORK.

KS
11.1
J.L.







